



SPONSOR: Rep. DiPinto Sen. Vaughn  
Buckworth Cook  
D. Ennis Henry  
Fallon McBride  
Brady Cloutier  
Houghton Winslow

HOUSE OF REPRESENTATIVES

141st GENERAL ASSEMBLY

HOUSE BILL NO. 350

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

10           The several amounts hereby appropriated are as follows:

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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
1								
2								
3								
4								
5								
6				<b>(01-01-01) General Assembly - House</b>				
7				Personnel Costs				3,539.4
8				Travel				
9				Mileage - Legislators				58.2
10				Other - Travel				37.6
11				Contractual Services				400.0
12				Supplies and Materials				40.0
13				Capital Outlay				30.0
14				Expenses - House Members				298.0
15				House Committee Expenses				30.0
16				<b>TOTAL -- General Assembly - House</b>				<b>4,433.2</b>
17								
18				<b>(01-02-01) General Assembly - Senate</b>				
19				Personnel Costs				2,197.1
20				Travel				
21				Mileage - Legislative				52.3
22				Other - Travel				35.2
23				Contractual Services				175.0
24				Supplies and Materials				35.0
25				Capital Outlay				45.0
26				Advertising - Senate Substance Abuse Committee				50.0
27				Expenses - Senate Members				175.1
28				Senate Committee Expenses				75.0
29				<b>TOTAL -- General Assembly - Senate</b>				<b>2,839.7</b>
30								
31								
32				<b>(01-05-01) Commission on Interstate Cooperation</b>				
33				Travel				18.0
34				Legislative Travel				100.0
35				Contractual Services				40.0
36				Supplies and Materials				0.5
37				Council of State Governments				64.8
38				Delaware River Basin Commission				392.0
39				Southern Governors Conference				4.7
40				National Conference of State Legislatures				80.4
41				Eastern Trade Council				3.0
42				Legislation for Gaming States				3.0
43				Interstate Agriculture Commission				25.0
44				<b>TOTAL -- Commission on Interstate Cooperation</b>				<b>731.4</b>

**(01-00-00) LEGISLATIVE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(01-08-00) Legislative Council</b>			
			<b>(01-08-01) Division of Research</b>			
		19.0				1,075.5
						18.3
						151.9
						119.7
						36.0
						4.5
						50.0
						38.5
		19.0				1,494.4
			<b>(01-08-02) Office of the Controller General</b>			
		15.0				1,124.5
						14.4
						370.9
						70.0
						2.0
						8.3
						50.0
						15.0
						10.0
						25.0
						10.0
						25.0
						50.0
						20.0
		15.0				1,795.1
			<b>(01-08-03) Code Revisors</b>			
						1.1
						220.8
						0.5
						222.4
			<b>(01-08-06) Commission on Uniform State Laws</b>			
						17.0
						18.1
						0.2
						35.3
		34.0	<b>TOTAL -- Legislative Council</b>			3,547.2
		<b>79.0</b>	<b>TOTAL -- LEGISLATIVE</b>			<b>11,551.5</b>

**(02-00-00) JUDICIAL**

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			<b>(02-01-00) Supreme Court</b>					
11.3		28.0	Personnel Costs				9.5	2,138.3
			Travel				6.8	18.4
			Contractual Services				121.4	91.1
			Supplies and Materials				5.0	38.1
			Capital Outlay				6.7	
			Other Items:					
			Court on the Judiciary					1.0
11.3		28.0	<b>TOTAL -- Supreme Court</b>				149.4	2,286.9
		28.0	(-10) Supreme Court		149.4	2,286.9		
11.3			(-40) Reg-Arms of the Court					
11.3		28.0	<b>TOTAL -- Internal Program Units</b>		149.4	2,286.9		
			<b>(02-02-00) Court of Chancery</b>					
	21.0	26.0	Personnel Costs				462.3	1,937.4
			Travel				6.3	15.0
			Contractual Services				42.2	71.3
			Supplies and Materials				22.8	31.0
			Capital Outlay				70.0	7.5
	21.0	26.0	<b>TOTAL -- Court of Chancery</b>				603.6	2,062.2
	21.0	26.0	(-10) Court of Chancery		603.6	2,062.2		
	21.0	26.0	<b>TOTAL -- Internal Program Unit</b>		603.6	2,062.2		
			<b>(02-03-00) Superior Court</b>					
6.0		286.0	Personnel Costs					14,447.6
			Travel					67.4
			Contractual Services					1,217.1
			Supplies and Materials					257.7
			Capital Outlay					56.0
6.0		286.0	<b>TOTAL -- Superior Court</b>					16,045.8
6.0		286.0	(-10) Superior Court			16,045.8		
6.0		286.0	<b>TOTAL -- Internal Program Unit</b>			16,045.8		
			<b>(02-06-00) Court of Common Pleas</b>					
1.0	3.0	122.0	Personnel Costs				122.0	5,960.9
			Travel					16.0
			Contractual Services					219.6
			Supplies and Materials					94.2
			Capital Outlay				4.0	15.5
1.0	3.0	122.0	<b>TOTAL -- Court of Common Pleas</b>				126.0	6,306.2
1.0	3.0	122.0	(-10) Court of Common Pleas		126.0	6,306.2		
1.0	3.0	122.0	<b>TOTAL -- Internal Program Unit</b>		126.0	6,306.2		

**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF
3.0	63.0	268.0
3.0	63.0	268.0
3.0	63.0	268.0
3.0	63.0	268.0
		245.0
		245.0
		245.0

**(02-08-00) Family Court**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 NCC Admin Office Space  
**TOTAL -- Family Court**  
 (-10) Family Court  
**TOTAL -- Internal Program Unit**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,610.3	12,943.9
		12.8	30.0
		196.1	533.5
		60.7	129.6
		48.0	
			118.0
		2,927.9	13,755.0
2,927.9	13,755.0		
2,927.9	13,755.0		

**(02-13-00) Justices of the Peace Courts**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Debt Service  
**TOTAL -- Justices of the Peace Courts**  
 (-10) Justices of the Peace Courts  
**TOTAL -- Internal Program Unit**

	11,010.1
	9.4
	1,206.4
	94.5
	131.2
	12.5
	404.2
	12,868.3
	12,868.3
	12,868.3

**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF
4.0		73.5
4.0		73.5
4.0		33.0
		7.0
		29.0
		4.5
4.0		73.5

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

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Retired Judges	
Continuing Judicial Education	
Victim Offender Mediation Program	
Conflict Attorneys	
CASA Attorneys	
Family Court Civil Attorney	
Elder Law Program	
Interpreters	
Court Appointed Attorneys/Involuntary Commitment	
New Castle County Court House	
Debt Service	
<b>TOTAL -- Administrative Office of the Courts - Court Services</b>	

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			3,176.6
			33.3
			1,443.7
			17.4
			362.1
			220.9
			40.0
			73.3
			424.8
			987.8
			140.0
			140.5
			50.0
			78.9
			105.3
		33.4	151.2
			10.7
		33.4	7,456.5
33.4	3,964.0		
	409.6		
	2,584.3		
	498.6		
33.4	7,456.5		

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



**(02-00-00) JUDICIAL**

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Personnel		
NSF	ASF	GF

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

	8.0	21.0
	8.0	21.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Special Needs Fund  
    Violent Crime Grants  
    Ivy Davis Scholarship Fund  
    Revenue Refund

**TOTAL -- Administrative Office of the Courts - Non-Judicial Services**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

424.5	1,137.4
26.0	25.4
81.1	122.1
7.7	20.8
6.0	1.6
	8.0
1,700.0	50.0
1.5	
2,246.8	1,365.3

	8.0	7.5
	8.0	21.0

(-01) Office of the Public Guardian  
(-02) Violent Crimes Compensation Board  
(-03) Child Placement Review Board  
(-04) Educational Surrogate Parent Program  
(-05) Office of the Child Advocate  
TOTAL -- Internal Program Units

	411.3
2,246.8	
	440.4
	72.3
	441.3
2,246.8	1,365.3

<b>25.3</b>	<b>95.0</b>	<b>1,069.5</b>	<b>TOTAL -- JUDICIAL</b>
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<b>6,087.1</b>	<b>62,146.2</b>
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**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

**(10-01-01) Office of the Governor**

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

**TOTAL -- Office of the Governor**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

38.0	1,708.3
0.5	14.5
140.9	177.6
0.2	24.7
	43.0
	8.7
179.6	1,976.8

**(10-02-00) Office of the Budget**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Data Processing - Development Projects  
Budget Automation - Operations  
Contingency:  
One-Time Appropriations  
Prior Years' Obligations  
Self Insurance  
Legal Fees  
Evaluation Project  
KIDS Count  
Salary Contingency  
Personnel Costs - Salary Shortage  
Salary Contingency - Overtime  
Deferred Compensation Match  
Post Retirement Health Insurance Premium Fund  
Judicial Nominating Committee  
Selective Market/Maintenance Reviews  
State Police Pension Death Benefit  
Livable Delaware  
Delaware State Police Recruit Class  
Compensation Commission  
Trans & Invest  
Elder Tax Relief and Education Expenses Fund  
Tax Relief and Education Expenses Fund  
Digital Mapping  
Appropriated Special Funds  
Budget Commission  
Debt Service

**TOTAL -- Office of the Budget**

3.8	9.0	34.0
3.8	9.0	34.0

493.9	2,588.1
9.1	32.2
212.1	436.4
13.8	38.8
	7.0
	2,000.0
	50.0
	2,030.4
	450.0
	3,000.0
	1,400.0
	100.0
	100.0
	9,011.0
	400.0
	305.8
	639.4
	1,249.1
	8.0
	1,867.0
	12.9
	100.0
	300.0
	300.0
500.0	
	9,200.0
	17,500.0
100.0	
24,500.0	
	100.0
	1,619.2
25,828.9	54,845.3

	9.0	28.0
3.8		6.0
3.8	9.0	34.0

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

1,328.9	6,339.3
24,500.0	47,873.6
	100.0
	532.4
25,828.9	54,845.3

**(10-00-00) EXECUTIVE**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
<b>(10-03-00) Delaware Economic Development Office</b>						
<b>(10-03-01) Office of the Director</b>						
		27.0				1,551.6
						23.6
					150.0	328.1
						16.0
						10.0
					700.0	106.0
		27.0			850.0	2,035.3
<b>(10-03-02) Delaware Tourism Office</b>						
		10.0				499.2
						20.2
					1,149.5	
					8.5	
						10.0
					75.0	
					250.0	
					250.0	
					35.0	
					5.0	
						0.5
						0.8
						0.8
						0.8
					45.0	
		10.0			1,818.0	532.3
<b>(10-03-03) Delaware Economic Development Authority</b>						
	4.0	15.0			233.0	1,035.9
					20.0	39.4
					313.1	320.9
					10.0	14.9
					1.5	
					30.0	10.0
						225.0
						75.0
						65.0
						2,330.6
	4.0	15.0			607.6	4,116.7
	4.0	52.0			3,275.6	6,684.3

**(10-00-00) EXECUTIVE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(10-04-00) Office of State Personnel**

11.2	84.5	55.3
11.2	84.5	55.3

Personnel Costs	3,861.9	2,328.1
Travel	42.1	19.4
Contractual Services	3,892.2	913.1
Supplies and Materials	103.5	16.6
Capital Outlay	91.8	7.3
Other Items:		
First Quality Fund		150.0
School to Work		20.0
Flexible Benefits Administration	113.5	
Generic Aides/Handicapped Employees		337.7
Employee Recognition		13.6
Blue Collar	140.0	
Workers' Compensation	15,813.2	
Health Insurance-Retirees in Closed State		2,458.8
Police Plan		
Blood Bank Membership Dues		88.0
Pensions - Paraplegic Veterans		33.0
Pensions - IMS	500.0	
Retiree Conference	5.0	
Other Items	560.0	82.0
Debt Service		148.3
<b>TOTAL -- Office of State Personnel</b>	<b>25,123.2</b>	<b>6,615.9</b>

11.2	21.5	51.3
	4.0	4.0
	4.0	
	55.0	
11.2	84.5	55.3

(-02) Operations	1,276.4	2,829.8
(-04) Staff Development and Training	575.8	517.5
(-05) Insurance Coverage Office	15,813.2	776.8
(-06) Pensions	7,457.8	2,491.8
<b>TOTAL -- Internal Program Units</b>	<b>25,123.2</b>	<b>6,615.9</b>

**(10-05-00) Delaware Health Care Commission**

		3.0
	1.0	
	1.0	3.0

Personnel Costs		216.8
Travel		24.6
Contractual Services		91.5
Supplies and Materials		7.0
Capital Outlay		5.0
Tobacco Fund:		
Personnel Costs	57.1	
Pilot Projects	1,500.0	
Other Items:		
Educational Programs		5.0
Program Evaluation		15.1
DIMER Operations		1,832.5
DIDER Operations		248.0
<b>TOTAL -- Delaware Health Care Commission</b>	<b>1,557.1</b>	<b>2,445.5</b>

	1.0	3.0
	1.0	3.0

(-01) Delaware Health Care Commission	1,557.1	365.0
(-02) Delaware Institute of Medical Education and Research		1,832.5
(-03) Delaware Institute of Dental Education and Research		248.0
<b>TOTAL -- Internal Program Units</b>	<b>1,557.1</b>	<b>2,445.5</b>

**(10-00-00) EXECUTIVE**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(10-07-00) Criminal Justice</b>			
			<b>(10-07-01) Criminal Justice Council</b>			
14.2		12.8				704.8
						7.8
						34.9
						3.8
						2.1
						12.5
				134.6		26.1
						11.0
						117.2
14.2		12.8			134.6	920.2
			<b>(10-07-02) Delaware Justice Information System</b>			
1.0		9.0				569.2
						3.8
						376.5
						14.9
1.0		9.0				964.4
			<b>TOTAL -- Criminal Justice</b>			
15.2		21.8			134.6	1,884.6
			<b>(10-08-00) Delaware State Housing Authority</b>			
			<b>(10-08-01) Delaware State Housing Authority</b>			
6.0	54.0				2,611.3	
					93.9	
					1,043.7	
					35.4	
					152.3	
					200.0	
					100.0	
					145.0	
					755.0	
					28,800.0	3,880.0
					589.2	
					1,640.0	
						415.6
6.0	54.0				36,165.8	4,295.6
			<b>TOTAL -- Delaware State Housing Authority</b>			



**(12-00-00) OTHER ELECTIVE OFFICES**

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Personnel		
NSF	ASF	GF
		6.0
		6.0

**(12-01-01) Lieutenant Governor**

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

**TOTAL -- Lieutenant Governor**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			306.1
			6.3
			22.8
			2.8
			7.7
			345.7

	10.0	39.0
	10.0	39.0

**(12-02-01) Auditor of Accounts**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- Auditor of Accounts**

424.1	2,274.3
6.2	20.4
328.9	371.7
10.4	12.9
5.4	29.9
775.0	2,709.2

**(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	112.0
3.7	2.5
21.0	
	10.0
753.2	895.1

**(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	
12,600.0	
16,425.9	

2.0	62.0	15.0
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**TOTAL -- Insurance Commissioner**

17,179.1	895.1
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**(12-00-00) OTHER ELECTIVE OFFICES**

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Personnel		
NSF	ASF	GF
	8.0	14.0
	8.0	14.0
<b>2.0</b>	<b>80.0</b>	<b>74.0</b>

**(12-05-00) State Treasurer**  
**(12-05-01) Administration**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Banking Services  
     Data Processing  
     Electronic Data Interchange  
**TOTAL -- Administration**

**(12-05-03) Debt Management**  
 Expense of Issuing Bonds  
 Debt Service - Old  
 Debt Service - New  
 Debt Service - Local Schools  
 Debt Service - Solid Waste Authority  
 Debt Service - Refunding  
 Financial Advisor  
**TOTAL -- Debt Management**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		431.2	808.0
		20.2	6.6
		51.1	123.7
		9.4	28.5
		63.7	
		1,315.0	
		50.0	
		70.0	
		<b>2,010.6</b>	<b>966.8</b>
			358.9
			12.4
			3,192.6
			15,094.7
			88.9
			2,688.0
			85.0
			<b>21,520.5</b>
		<b>2,010.6</b>	<b>22,487.3</b>
		<b>19,964.7</b>	<b>26,437.3</b>

**TOTAL -- State Treasurer**

**TOTAL -- OTHER ELECTIVE OFFICES**



(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
33.8	45.9	266.4
	2.0	
33.8	47.9	266.4

(15-01-01) Office of Attorney General

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

TOTAL -- Office of Attorney General

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		718.8	15,347.5
		0.1	13.7
		0.1	2,005.9
			41.3
		0.3	61.4
		75.1	22.0
		131.2	
			40.0
		179.0	273.8
		30.6	
		618.8	
		15.0	
		1,031.8	
		1,061.7	
		3,862.5	17,805.6

(15-02-01) Public Defender

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

TOTAL -- Public Defender

5.0		127.0
5.0		127.0

	8,526.9
	1.7
	622.4
	5.4
	63.3
	3.8
	9,223.5

(15-03-01) Board of Parole

- Personnel Costs
- Travel
- Contractual Services
- Supplies and Materials

TOTAL -- Board of Parole

		7.0
		7.0

	329.0
	12.2
	22.7
	3.3
	367.2

38.8	47.9	400.4
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TOTAL -- LEGAL

3,862.5	27,396.3
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(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	8.0	27.0
	8.0	27.0

(20-01-00) Office of the Secretary

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

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF
1,353.7	561.5
50.0	677.6
15.0	406.3
1,418.7	2,041.3

\$ Line Item	
ASF	GF
404.4	1,236.6
35.7	40.2
735.1	250.7
	59.6
79.1	124.8
164.4	
	329.4
1,418.7	2,041.3

	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	561.5
	395.9
50.0	677.6
15.0	406.3
1,418.7	2,041.3

(20-02-00) Office of Human Relations

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

**TOTAL -- Office of Human Relations**

1.0		9.0
1.0		9.0

	413.0
	9.2
	27.4
	2.5
10.0	
10.0	452.1

1.0		9.0
1.0		9.0

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

10.0	452.1
10.0	452.1

(20-03-00) Delaware Public Archives

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

**TOTAL -- Delaware Public Archives**

	7.0	34.0
	7.0	34.0

321.7	1,433.1
5.0	1.8
45.7	235.6
19.5	108.6
18.5	11.5
	20.0
	25.0
	1,138.4
410.4	2,974.0

	7.0	34.0
	7.0	34.0

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

410.4	2,974.0
410.4	2,974.0

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	92.0	
	92.0	

(20-05-00) Corporations

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
Other Items:	
Computer Time Costs	
Technology Infrastructure Fund	
Debt Service	
<b>TOTAL -- Corporations</b>	

\$ Program	
ASF	GF
9,964.2	
9,964.2	

\$ Line Item	
ASF	GF
4,045.0	
30.1	
1,390.7	
134.1	
1,699.3	
165.0	
2,500.0	
9,964.2	

	92.0	
	92.0	

(-01) Corporations	
<b>TOTAL -- Internal Program Unit</b>	

9,964.2	
9,964.2	

(20-06-00) Historical and Cultural Affairs

5.9	1.5	45.6
5.9	1.5	45.6

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	
<b>TOTAL -- Historical and Cultural Affairs</b>	

77.8	2,030.3
	5.8
	244.9
	164.8
	70.8
	14.8
	72.0
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	3,090.8

	1.0	10.0
5.4		5.6
0.5	0.5	30.0
5.9	1.5	45.6

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

181.9	637.1
	260.9
136.8	2,192.8
318.7	3,090.8

**(20-00-00) DEPARTMENT OF STATE**

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Personnel		
NSF	ASF	GF

3.0		6.0
3.0		6.0

3.0		6.0
3.0		6.0

9.0		13.0
9.0		13.0

9.0		13.0
9.0		13.0

	36.0	
	36.0	

	36.0	
	36.0	

<b>18.9</b>	<b>144.5</b>	<b>134.6</b>
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**(20-07-00) Arts**

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

**TOTAL -- Arts**

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

**(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**

(-01) Libraries  
TOTAL -- Internal Program Unit

**(20-15-00) State Banking Commission**

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

**TOTAL -- State Banking Commission**

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

**TOTAL -- DEPARTMENT OF STATE**

\$ Program	
ASF	GF

	1,673.5
	1,673.5
2.0	4,342.8
2.0	4,342.8
2,653.3	
2,653.3	

\$ Line Item	
ASF	GF

	331.7
	2.4
	70.0
	3.0
	1,256.4
	10.0
	1,673.5
	588.9
	4.0
	153.7
	8.7
	21.6
	7.0
	2,371.6
	387.4
	100.0
2.0	699.9
2.0	4,342.8

2.0	4,342.8
2.0	4,342.8

2,139.7	
72.4	
347.5	
26.1	
67.5	
0.1	
2,653.3	

2,653.3	
2,653.3	

<b>14,777.3</b>	<b>14,574.5</b>
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**(25-00-00) DEPARTMENT OF FINANCE**

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Personnel		
NSF	ASF	GF
	30.0	
	30.0	
	30.0	
	30.0	
	<b>30.0</b>	<b>267.0</b>

**(25-07-00) State Lottery Office**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
**TOTAL -- State Lottery Office**

(-01) State Lottery Office  
**TOTAL -- Internal Program Unit**

**TOTAL -- DEPARTMENT OF FINANCE**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,579.4	
		50.0	
		41,454.7	
		47.9	
		217.0	
		43,349.0	
43,349.0			
43,349.0			
		<b>47,209.5</b>	<b>15,836.8</b>

**(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(30-01-00) Administration</b>			
3.0	1.0	30.0			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
3.0	1.0	30.0	<b>TOTAL -- Administration</b>		153.9	1,989.4
	1.0	22.0				
3.0		1.0	153.9	1,285.1		
		2.0				92.2
		4.0				164.4
		1.0				319.9
						127.8
3.0	1.0	30.0	153.9	1,989.4		
			<b>(30-03-00) Regulation and Licensing</b>			
	58.0				3,280.5	
					110.9	
					2,488.7	
					71.3	
					189.4	
						10.0
						75.0
						15.0
	58.0		<b>TOTAL -- Regulation and Licensing</b>		6,240.8	
	23.0					
	31.0		2,185.7			
	4.0					3,512.3
	58.0					542.8
			6,240.8			
			<b>(30-04-00) Support Operations</b>			
	50.0	14.5			2,006.9	543.6
					16.4	
					3,554.3	296.1
					1,695.5	16.5
					4,478.2	
	50.0	14.5	<b>TOTAL -- Support Operations</b>		11,751.3	856.2
		9.0				
	18.0		1,649.3	395.3		
	32.0					2,231.5
						7,797.8
		5.5				72.7
	50.0	14.5	11,751.3	856.2		

**(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(30-05-00) Facilities Management</b>			
	4.0	90.0			215.4	3,805.1
					24.9	
					184.8	5,481.6
						2,425.9
					221.1	854.6
					121.4	
					3,850.0	
						8,071.2
						800.0
						13,133.2
	4.0	90.0			4,617.6	34,571.6
			<b>TOTAL -- Facilities Management</b>			
	4.0	90.0	4,617.6	34,571.6		
	4.0	90.0	4,617.6	34,571.6		
			<b>(30-06-00) Purchasing</b>			
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	
2.0	9.0	21.0			1,186.1	1,100.6
			<b>TOTAL -- Purchasing</b>			
		17.0	100.0	900.4		
	5.0		285.7			
2.0	4.0	4.0	800.4	200.2		
2.0	9.0	21.0	1,186.1	1,100.6		
			<b>TOTAL -- Internal Program Units</b>			
			<b>TOTAL -- DEPARTMENT OF ADMINISTRATIVE SERVICES</b>		23,949.7	38,517.8
5.0	122.0	155.5				



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

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Personnel		
NSF	ASF	GF
51.9	34.1	148.6
51.9	34.1	148.6
	1.0	8.0
51.9	33.1	140.6
51.9	34.1	148.6

**(35-01-00) Administration**

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

**TOTAL -- Administration**

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,094.9	7,609.5
		12.7	10.0
		785.9	513.5
			128.4
		98.5	43.0
		215.0	24.4
		255.0	
		232.8	
			20.0
			2,872.9
		2,694.8	11,221.7
130.8	621.5		
2,564.0	10,600.2		
2,694.8	11,221.7		

**(35-04-00) Medical Examiner**

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

**TOTAL -- Medical Examiner**

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

	2,302.8
	12.1
	311.8
	84.6
	447.1
	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**

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Personnel		
NSF	ASF	GF
209.5	47.8	1,380.3
209.5	47.8	1,380.3

**(35-05-00) Public Health**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			41.8	54,625.3
Travel				37.2
Contractual Services			500.0	8,005.5
Energy				1,237.9
Supplies and Materials				3,957.2
Capital Outlay				138.3
Tobacco Fund:				
Personnel Costs			55.0	
Contractual Services			5,071.9	
Supplies and Materials			0.5	
Capital Outlay			249.6	
Other Items:				
Long-Term Care Prospective Payment			114.0	
Rodent Control				80.0
Tuberculosis			65.0	
Sexually Transmitted Diseases			105.0	
Child Development Watch			550.0	
Preschool Diagnosis and Treatment			100.0	98.0
Home Visits			150.0	
Immunizations				256.5
School Based Health Centers				4,651.8
Hepatitis B				70.0
AIDS				158.2
Rabies Control				80.6
Office of Narcotics & Dangerous Drugs				40.0
Child Health			800.0	
Vanity Birth Certificates			14.7	
Public Water			60.0	
Medicaid Enhancements			205.0	
Infant Mortality			150.0	
Medicaid AIDS Waiver			1,100.0	
Children with Special Needs			50.0	
Family Planning			325.0	
Newborn			725.0	
Indirect Costs			206.4	
Food Inspection			21.0	
Food Permits			400.0	
Medicaid Contractors/Lab Testing & Analysis			100.0	
Water Operator Certification			8.0	
IV Therapy			559.0	
Health Statistics			200.0	
Debt Service				200.8
<b>TOTAL -- Public Health</b>			<b>11,926.9</b>	<b>73,637.3</b>

3.0	7.0	50.0
205.5	40.8	323.3
1.0		9.0
		649.2
		196.3
		152.5
209.5	47.8	1,380.3

(-10) Director's Office/Support Services	349.7	3,131.9
(-20) Community Health	10,529.2	25,540.0
(-30) Emergency Medical Services	375.0	1,326.2
(-40) Delaware Hospital for the Chronically Ill	528.6	28,467.4
(-50) Emily Bissell	144.4	8,622.4
(-60) Governor Bacon		6,549.4
<b>TOTAL -- Internal Program Units</b>	<b>11,926.9</b>	<b>73,637.3</b>

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-06-00) Alcoholism, Drug Abuse and Mental Health</b>			
15.8	4.0	901.4	Personnel Costs		183.8	37,984.0
			Travel			20.8
			Contractual Services		1,619.4	28,933.7
			Energy			812.6
			Supplies and Materials		100.6	4,772.6
			Capital Outlay		9.0	184.0
			Tobacco Fund:			
			Contractual Services		200.0	
			Heroin Residential Program		500.0	
			Other Items:			
			SENTAC Treatment Initiatives			1,564.6
			Sheltered Workshop			9.9
			Patient Payment			28.2
			Debt Service			990.2
15.8	4.0	901.4	<b>TOTAL -- Alcoholism, Drug Abuse and Mental Health</b>		2,612.8	75,300.6
12.0		22.0	(-10) Administration - Mental Health		60.0	1,610.3
1.0		130.0	(-20) Community Mental Health		1,100.0	17,058.4
0.8	1.0	713.4	(-30) Inpatient Mental Health		168.0	45,255.5
2.0	3.0	36.0	(-40) Alcoholism and Drug Abuse		1,284.8	11,376.4
15.8	4.0	901.4	<b>TOTAL -- Internal Program Units</b>		2,612.8	75,300.6
			<b>(35-07-00) Social Services</b>			
315.4	2.0	283.6	Personnel Costs			12,292.0
			Travel			14.1
			Contractual Services			5,520.2
			Energy			58.0
			Supplies and Materials			103.9
			Capital Outlay			82.9
			Tobacco Fund:			
			Prescription Drug Program		5,150.4	
			Former SSI Beneficiaries		1,485.0	
			Medicaid Non-State		898.7	
			Other Items:			
			Cost Recovery		150.2	
			Early Intervention		231.1	2,139.9
			General Assistance			2,581.1
			TANF Cash Assistance		500.0	2,282.4
			SSI Supplement			1,041.3
			Child Care			21,259.5
			Emergency Assistance			798.9
			Employment and Training			2,635.9
			Medicaid - State			27,550.0
			Medicaid - Non-State		16,000.0	263,106.5
			Delaware Healthy Children Program			1,753.1
			Delaware Healthy Children Program Premiums		500.0	
			Delaware Healthy Children Program - DSCYF		585.2	
			Legal Non-Citizen Health Care			320.0
			Renal			1,450.0
315.4	2.0	283.6	<b>TOTAL -- Social Services</b>		25,500.6	344,989.7
315.4	2.0	283.6	(-01) Social Services		25,500.6	344,989.7
315.4	2.0	283.6	<b>TOTAL -- Internal Program Unit</b>		25,500.6	344,989.7
					<b>NSF</b>	
TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation					32,291.0	

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

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Personnel		
NSF	ASF	GF
27.4	3.0	40.6
27.4	3.0	40.6
22.4		49.6
22.4		49.6
144.1	27.2	47.7
144.1	27.2	47.7

**(35-08-00) Visually Impaired**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    BEP Unassigned Vending  
    BEP Independence  
    BEP Cafe  
    BEP Vending

**TOTAL -- Visually Impaired**

(-01) Visually Impaired Services  
TOTAL -- Internal Program Unit

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		104.0	1,923.9
			3.1
		1.5	513.0
			63.7
		4.0	39.1
		175.0	
		450.0	
		50.0	
		425.0	
		1,209.5	2,621.0
1,209.5	2,621.0		
1,209.5	2,621.0		

**(35-09-00) Long Term Care Residents Protection**

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

**TOTAL -- Long Term Care Residents Protection**

(-01) Long Term Care Residents Protection  
TOTAL -- Internal Program Unit

	2,035.3
	12.3
	732.6
	22.8
	13.8
	20.3
	2,837.1

**(35-10-00) Child Support Enforcement**

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

**TOTAL -- Child Support Enforcement**

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

1,094.9	1,913.9
5.7	4.9
295.9	532.9
	7.3
23.0	12.8
47.9	2.1
25.0	
1,492.4	2,473.9

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

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Personnel		
NSF	ASF	GF
3.0	1.0	801.8
3.0	1.0	801.8

**(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**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		24.8	31,648.5
			7.6
		1,060.0	5,002.4
			566.1
			1,419.4
			136.6
			30.0
			9.6
			18,722.1
			6,013.7
			526.2
			29.5
		1,084.8	64,111.7

3.0	1.0	39.0
		598.0
		164.8
3.0	1.0	801.8

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

24.8	1,933.0
	27,933.9
1,060.0	34,244.8
1,084.8	64,111.7

**(35-12-00) State Service Centers**

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**

28.0	1.0	107.1
28.0	1.0	107.1

41.2	4,359.9
7.8	9.2
1,293.7	2,542.8
54.2	558.3
70.1	92.3
39.8	17.3
	376.3
	29.4
	85.5
	1,583.1
	50.0
	326.1
1,506.8	10,030.2

10.8		66.4
	1.0	21.5
11.0		2.0
6.2		17.2
28.0	1.0	107.1

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

	3,170.5
1,506.6	2,986.9
	2,088.2
0.2	1,784.6
1,506.8	10,030.2

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(35-14-00) Services for Aging and Adults with Physical Disabilities</b>				
49.4		59.8	Personnel Costs				2,777.2
			Travel				9.7
			Contractual Services				5,128.4
			Energy				12.4
			Supplies and Materials				51.0
			Capital Outlay				0.6
			Other Items:				
			Community Services			261.0	3.0
			Nutrition Program				589.9
			Long Term Care				249.1
			Assisted Living				479.6
49.4		59.8	<b>TOTAL -- Services for Aging and Adults with Physical Disabilities</b>			261.0	9,300.9
49.4		59.8	(-01) Services for Aging and Adults with Physical Disabilities	261.0	9,300.9		
49.4		59.8	<b>TOTAL -- Internal Program Unit</b>	261.0	9,300.9		
<b>866.9</b>	<b>121.1</b>	<b>3,857.5</b>	<b>TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES</b>			<b>48,336.0</b>	<b>599,816.6</b>

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

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Personnel		
NSF	ASF	GF
29.1	32.5	111.7
29.1	32.5	111.7

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(37-01-00) Management Support Services</b>				
Personnel Costs			1,520.3	6,620.4
Travel			19.7	14.1
Contractual Services			971.0	844.5
Supplies and Materials			64.9	92.5
Capital Outlay			27.0	39.6
Other Items:				
MIS Development				362.3
Kinship Care Pilot Program				50.0
Home Visiting				150.0
Agency Operations			187.0	
Services Integration			102.1	
Maintenance and Restoration			100.0	70.6
Debt Service				374.7
<b>TOTAL -- Management Support Services</b>			<b>2,992.0</b>	<b>8,618.7</b>

4.0	5.0	16.0
	5.0	6.0
9.8	7.5	16.2
2.0	4.0	10.0
		13.0
	6.0	42.5
13.3	5.0	8.0
29.1	32.5	111.7

(-10) Office of the Secretary	352.8	1,439.9
(-15) Office of the Director	888.9	897.4
(-20) Fiscal Services	323.3	865.7
(-25) Planning and Evaluation	342.2	549.0
(-30) Human Resources	60.0	838.7
(-40) Education Services	432.3	2,992.4
(-50) Management Information Systems	592.5	1,035.6
<b>TOTAL -- Internal Program Units</b>	<b>2,992.0</b>	<b>8,618.7</b>

8.0	19.0	187.6
8.0	19.0	187.6

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(37-04-00) Child Mental Health Services</b>				
Personnel Costs			1,025.8	9,977.6
Travel			6.9	21.9
Contractual Services			8,939.4	10,352.9
Energy				209.2
Supplies and Materials			73.8	278.1
Capital Outlay			28.0	9.7
Other Items:				
Pass Throughs				300.0
MIS Maintenance			16.0	
<b>TOTAL -- Child Mental Health Services</b>			<b>10,089.9</b>	<b>21,149.4</b>

8.0	19.0	78.1
		39.5
		70.0
8.0	19.0	187.6

(-10) Managed Care Organization	1,293.3	4,987.1
(-30) Periodic Treatment	2,683.8	6,854.4
(-40) 24 Hour Treatment	6,112.8	9,307.9
<b>TOTAL -- Internal Program Units</b>	<b>10,089.9</b>	<b>21,149.4</b>

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

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Personnel		
NSF	ASF	GF
7.0	20.0	305.1
7.0	20.0	305.1
1.0		10.1
6.0	5.0	69.5
	15.0	225.5
7.0	20.0	305.1

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(37-05-00) Youth Rehabilitative Services</b>				
Personnel Costs			857.0	15,155.5
Travel			10.5	34.9
Contractual Services			1,944.0	15,425.2
Energy				505.0
Supplies and Materials			84.0	774.1
Capital Outlay				24.4
Debt Service				1,091.0
<b>TOTAL -- Youth Rehabilitative Services</b>			2,895.5	33,010.1
(-10) Office of the Director	1.1	635.5		
(-30) Community Services	1,593.7	17,536.2		
(-50) Secure Care	1,300.7	14,838.4		
<b>TOTAL -- Internal Program Units</b>	2,895.5	33,010.1		

106.9	32.5	309.0
106.9	32.5	309.0

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(37-06-00) Family Services</b>				
Personnel Costs			1,623.5	14,690.4
Travel			27.1	17.2
Contractual Services			2,320.8	1,828.6
Energy				9.7
Supplies and Materials			27.7	82.2
Capital Outlay			16.0	29.3
Child Welfare/Contractual Services				9,448.2
Pass Throughs				423.6
Other Items:				
Emergency Material Assistance				31.0
DFS Decentralization			313.3	
<b>TOTAL -- Family Services</b>			4,328.4	26,560.2
(-10) Office of the Director	985.9	4,124.6		
(-20) Prevention/Early Intervention	392.1	1,890.3		
(-30) Intake/Investigation	747.7	4,800.7		
(-40) Intervention/Treatment	2,202.7	15,744.6		
<b>TOTAL -- Internal Program Units</b>	4,328.4	26,560.2		

23.9	3.5	60.6
73.0	5.0	18.0
1.0	12.0	97.4
9.0	12.0	133.0
106.9	32.5	309.0

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

<b>151.0</b>	<b>104.0</b>	<b>913.4</b>
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<b>20,305.8</b>	<b>89,338.4</b>
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**(38-00-00) DEPARTMENT OF CORRECTION**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(38-04-00) Prisons</b>			
	15.0	1,758.6			861.0	76,587.7
					9.0	21.2
					948.4	2,964.6
					10.2	3,867.5
					1,422.2	3,752.7
					177.0	
						19.0
						100.0
						133.7
						23.0
						101.0
						15,225.7
	15.0	1,758.6	<b>TOTAL -- Prisons</b>		3,427.8	102,796.1
		11.0				
	2.0	26.0				
		747.0				
		406.0				
	1.0	98.0				
		382.0				
		47.0				
	7.0	16.0				
	5.0	6.0				
		19.6				
	15.0	1,758.6	<b>TOTAL -- Internal Program Units</b>		3,427.8	102,796.1
			<b>(38-06-00) Community Corrections</b>			
1.0	4.0	586.0			163.0	25,889.9
						62.3
					280.0	3,299.4
						352.2
					25.0	702.4
						54.4
						1,217.7
1.0	4.0	586.0	<b>TOTAL -- Community Corrections</b>		468.0	31,578.3
		17.0				
1.0		321.0				
		39.0				
	2.0	44.0				
		32.0				
		43.0				
		42.0				
	2.0	48.0				
1.0	4.0	586.0	<b>TOTAL -- Internal Program Units</b>		468.0	31,578.3
			<b>TOTAL -- DEPARTMENT OF CORRECTION</b>			
1.0	19.0	2,618.6			3,920.8	180,693.5

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

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Personnel		
NSF	ASF	GF
2.6	21.3	35.1
2.6	21.3	35.1

**(40-01-00) Office of the Secretary**

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

**TOTAL -- Office of the Secretary**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,007.1	2,254.4
15.9	13.2
291.8	62.9
35.0	278.4
67.8	43.2
7.2	0.0
	280.0
20.0	
15.0	
55.0	
25.0	80.0
	1,216.1
	1.5
500.0	
	625.5
2,039.8	4,855.2

	19.3	31.7
2.6	2.0	3.4
2.6	21.3	35.1

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

1,946.1	4,618.7
93.7	236.5
2,039.8	4,855.2

**(40-05-00) Fish and Wildlife**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Spraying and Insecticides  
    Wildlife Damage Control  
    Non-Game Habitat  
    Natural Heritage Program  
    Clean Vessel Program  
    Duck Stamp  
    Trout Stamp  
    Finfish Development  
    Fisheries Restoration  
    Northern Delaware Wetlands  
    Revenue Refund  
Debt Service

**TOTAL -- Fish and Wildlife**

28.2	32.8	65.0
28.2	32.8	65.0

1,213.2	3,672.5
17.0	12.3
705.7	1,128.5
1.5	88.3
383.3	202.0
1,974.0	
	389.9
65.0	
50.0	
219.0	207.0
32.4	
180.0	
50.0	
130.0	
310.0	
277.5	
15.0	
	104.3
5,623.6	5,804.8

	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	1,538.1
329.6	1,567.5
169.5	716.9
708.3	1,720.6
5,623.6	5,804.8

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

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			<b>(40-06-00) Parks and Recreation</b>					
1.0	62.5	105.5	Personnel Costs				4,276.2	5,142.7
			Travel				30.8	5.2
			Contractual Services				1,494.3	750.9
			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	<b>TOTAL -- Parks and Recreation</b>				8,562.9	8,943.9
	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	4,212.2		
	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	<b>TOTAL -- Internal Program Units</b>		8,562.9	8,943.9		
			<b>(40-07-00) Soil and Water Conservation</b>					
15.3	2.0	47.7	Personnel Costs				89.8	2,658.0
			Travel				5.0	5.9
			Contractual Services				1,183.9	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				3,401.8	
			Sand Bypass System					95.0
			Tax Ditches*					225.0
			Debt Service					772.4
15.3	2.0	47.7	<b>TOTAL -- Soil and Water Conservation</b>				4,763.5	5,035.0
1.5		4.5	(-01) Management and Support -		160.0	349.4		
			Soil and Water					
		9.0	(-02) Drainage		10.0	1,646.2		
1.8		26.2	(-03) Shoreline and Waterway		4,471.3	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	<b>TOTAL -- Internal Program Units</b>		4,763.5	5,035.0		

\*Pursuant to Section 3921, Title 7, Delaware Code

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

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Personnel		
NSF	ASF	GF
30.3	61.4	74.3
30.3	61.4	74.3

**(40-08-00) Water Resources**

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

**TOTAL -- Water Resources**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,201.4	4,286.5
		38.0	40.2
		716.0	1,318.0
		219.0	8.0
		241.0	91.9
			40.0
			102.3
			39.0
		15.0	
			294.5
		300.0	
		50.1	
		14.0	
			2,842.5
		3,794.5	9,062.9

14.5	7.0	12.5
0.5	25.5	18.0
2.0	8.0	6.0
2.8	13.2	8.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
30.3	61.4	74.3

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

**TOTAL -- Internal Program Units**

766.1	4,238.7
1,517.5	1,149.9
465.6	492.6
609.1	451.9
152.4	434.2
	1,967.1
283.8	328.5
3,794.5	9,062.9

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

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Personnel		
NSF	ASF	GF
58.7	95.8	55.5
58.7	95.8	55.5

**(40-09-00) Air and Waste Management**

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

**TOTAL - Air and Waste Management**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,862.6	3,441.0
		78.0	15.3
		1,120.0	270.4
		10.0	92.7
		185.9	86.3
		242.0	4.9
		300.0	
		900.0	
		3,960.5	
		30.0	14.4
		525.8	
		350.0	
		54.8	
		180.9	
		164.8	
		141.2	
		50.0	
			75.0
		824.8	
			4.5
		11,981.3	4,004.5

3.5	16.0	16.5
17.0	51.0	19.0
38.2	28.8	20.0
58.7	95.8	55.5

(-01) Management and Support - Air and Waste  
(-02) Air Quality Management  
(-03) Waste Management  
TOTAL -- Internal Program Units

2,123.2	1,211.1
3,643.4	1,328.5
6,214.7	1,464.9
11,981.3	4,004.5

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

<b>136.1</b>	<b>275.8</b>	<b>383.1</b>
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<b>36,765.6</b>	<b>37,706.3</b>
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(45-00-00) DEPARTMENT OF PUBLIC SAFETY

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(45-01-00) Office of the Secretary</b>	
28.3	1.0	56.7			121.9	2,842.2
						13.1
						429.4
						184.9
					85.0	42.3
						0.1
					0.7	
						15.0
						112.1
						50.0
						30.0
					244.5	
					100.0	
						617.2
28.3	1.0	56.7	<b>TOTAL -- Office of the Secretary</b>		552.1	4,336.3
		18.0	100.0	1,347.6		
		5.0		282.3		
	1.0	23.0	452.1	1,524.8		
23.8		8.2		1,046.8		
4.5		2.5		134.8		
28.3	1.0	56.7	552.1	4,336.3		
					<b>(45-02-00) Capitol Police</b>	
		54.0				2,023.1
						4.5
						299.2
						24.5
		54.0	<b>TOTAL -- Capitol Police</b>			2,351.3
		54.0		2,351.3		
		54.0	<b>TOTAL -- Internal Program Unit</b>			2,351.3
					<b>(45-03-00) Office of the Alcoholic Beverage Control Commissioner</b>	
		7.0				387.9
						2.0
						16.6
						4.0
						3.0
		7.0	<b>TOTAL -- Office of the Alcoholic Beverage Control Commissioner</b>			413.5
		7.0		413.5		
		7.0	<b>TOTAL -- Internal Program Unit</b>			413.5

**(45-00-00) DEPARTMENT OF PUBLIC SAFETY**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement</b>			
	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				168.9	
					10.0	
					84.0	
					67.1	
					169.0	
					10.0	
	6.0	14.0	<b>TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement</b>		609.6	782.7
	6.0	14.0	(-10) Division of Alcoholic Beverage Control and Tobacco Enforcement		609.6	782.7
	6.0	14.0	<b>TOTAL -- Internal Program Unit</b>		609.6	782.7
			<b>(45-06-00) State Police</b>			
33.2	25.5	768.3			3,367.4	49,850.7
					146.7	63.3
					706.2	2,689.9
						386.0
					472.6	1,942.4
					76.0	1,457.7
					87.5	
						18,104.6
						75.0
						35.0
						90.0
						1,187.1
33.2	25.5	768.3	<b>TOTAL -- State Police</b>		4,856.4	75,881.7
		62.0	(-01) Executive		2,416.7	22,465.6
		8.0	(-02) Bldg Maintenance & Construction			1,076.7
	6.0	318.0	(-03) Patrol		698.8	23,479.4
25.0		147.0	(-04) Criminal Investigation			10,785.2
2.0	7.0	38.0	(-05) Special Investigation		673.0	2,928.5
		20.0	(-06) Aviation			2,244.6
4.2		13.8	(-07) Traffic			772.7
	9.0	35.0	(-08) State Bureau of Identification		902.8	1,737.2
		12.0	(-09) Training			1,398.1
	3.5	88.5	(-10) Communications		129.1	5,024.0
		15.0	(-11) Transportation		36.0	3,304.9
2.0		11.0	(-12) Community Relations			664.8
33.2	25.5	768.3	<b>TOTAL - Internal Program Units</b>		4,856.4	75,881.7



(45-00-00) DEPARTMENT OF PUBLIC SAFETY

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Personnel		
NSF	ASF	GF
	26.0	201.0
	26.0	201.0
	2.0	70.0
	24.0	101.0
	26.0	201.0
<b>61.5</b>	<b>58.5</b>	<b>1,101.0</b>

(45-07-00) Division of Motor Vehicles

Personnel Costs	
Travel	
Contractual Services	
Supplies and Materials	
Capital Outlay	
Other Items:	
CDL Fees	
Motorcycle Safety	
Special License Plates	
Odometer Forms	
Off Highway Vehicles	
Automation	
Debt Service	
<b>TOTAL -- Division of Motor Vehicles</b>	
(-01) Administration	
(-10) Driver Services	
(-20) Vehicle Services	
<b>TOTAL -- Internal Program Units</b>	

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,061.1	7,939.6
		10.0	10.1
		1,875.0	919.8
		517.4	363.7
		341.5	0.1
		207.3	
		111.5	
		25.0	
		6.0	
		1.0	
		150.0	
			181.7
		<b>4,305.8</b>	<b>9,415.0</b>
112.5	1,737.9		
273.9	2,824.1		
3,919.4	4,853.0		
<b>4,305.8</b>	<b>9,415.0</b>		
<b>10,323.9</b>		<b>93,180.5</b>	

**TOTAL -- DEPARTMENT OF PUBLIC SAFETY**

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel					\$ Line Item	
NSF	TFO	TFC			TFO	GF
			<b>(55-01-00) Office of the Secretary</b>			
			<b>(55-01-01) Office of the Secretary</b>			
	63.0		Personnel Costs		3,980.2	
			Operations/Capital		5,031.9	
			Salary Contingency		161.0	
	63.0		<b>TOTAL -- Office of the Secretary</b>		<b>9,173.1</b>	
			<b>(55-01-02) Division of Financial Management and Budget</b>			
2.0	39.0		Personnel Costs		1,926.8	
			Operations/Capital		828.5	
2.0	39.0		<b>TOTAL -- Division of Financial Management and Budget</b>		<b>2,755.3</b>	
			<b>(55-01-03) Division of External Affairs</b>			
	11.0		Personnel Costs		682.1	
			Operations/Capital		113.3	
	11.0		<b>TOTAL -- Division of External Affairs</b>		<b>795.4</b>	
2.0	113.0		<b>TOTAL-- Office of the Secretary</b>		<b>12,723.8</b>	
			<b>(55-02-01) Division of Administration</b>			
3.0	72.0		Personnel Costs		3,701.4	
			Travel		28.0	
			Contractual/Supplies		1,910.8	
			Energy		334.0	
			Capital Outlay		19.0	
3.0	72.0		<b>TOTAL-- Division of Administration</b>		<b>5,993.2</b>	
			<b>(55-03-01) Division of Planning</b>			
	69.0	7.0	Personnel Costs		3,844.8	
			Operations/Capital		571.9	
	69.0	7.0	<b>TOTAL -- Division of Planning</b>		<b>4,416.7</b>	

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel			\$ Line Item	
NSF	TFO	TFC	TFO	GF
			<b>(55-04-00) Division of Highway Operations</b>	
			<b>(55-04-01) Office of the Director</b>	
	25.0		1,217.8	
			102.7	
	25.0		1,320.5	
			<b>(55-04-40) Construction</b>	
	62.0	79.0	4,051.4	
			9.6	
	62.0	79.0	4,061.0	
			<b>(55-04-50) Traffic Engineering and Management</b>	
	118.0	1.0	5,353.1	
			1,054.3	
			33.7	
			2,775.2	
	118.0	1.0	9,216.3	
			<b>(55-04-60) Field Services</b>	
	33.0	64.0	2,000.3	
			2,570.2	
	33.0	64.0	4,570.5	
			<b>(55-04-70) Maintenance Districts</b>	
	640.0	1.0	26,395.0	
			907.6	
			223.5	
			10,940.2	
			3,041.0	
	640.0	1.0	41,507.3	
			<b>(55-04-90) Toll Administration</b>	
	131.0		4,910.4	
			26.0	
			429.8	
			91.0	
			1,904.7	
	131.0		7,361.9	
	1,009.0	145.0	68,037.5	

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

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel					\$ Line Item	
NSF	TFO	TFC			TFO	GF
			<b>(55-06-01) Delaware Transportation Authority</b>			
			Delaware Transit Corporation			
			Transit Administration		8,084.6	
			Transit Operations Planning and Customer		2,028.5	
			Transit Operations		34,046.9	
			Taxi Services Support "E & H"		148.5	
			Newark Transportation		118.9	
			Kent and Sussex Transportation "E & H"		976.7	
			Total -- Delaware Transit Corporation		45,404.1	
			DTA Indebtedness			
			Debt Service			
			General Obligations		1,674.0	
			Transportation Trust Fund		79,073.0	
			Total -- DTA Indebtedness		80,747.0	
			<b>TOTAL -- Delaware Transportation Authority*</b>		<b>126,151.1</b>	

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

			<b>(55-07-10) Division of Pre-Construction</b>			
			Personnel Costs		5,042.1	
			Operations/Capital		472.4	
			<b>TOTAL -- Division of Pre-Construction</b>		<b>5,514.5</b>	
			<b>TOTAL -- DEPARTMENT OF TRANSPORTATION</b>		<b>222,836.8</b>	

NSF	TFO	TFC
5.0	1,353.0	238.0

**(60-00-00) DEPARTMENT OF LABOR**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(60-01-00) Administration</b>			
12.5	29.6	8.9			1,495.2	520.1
					18.3	10.2
					715.0	230.2
					116.4	13.6
					73.5	4.0
					25.0	
12.5	29.6	8.9	<b>TOTAL -- Administration</b>		2,443.4	778.1
			<b>(60-06-00) Unemployment Insurance</b>			
	10.6	1.4	911.8	279.5		
12.5		2.5		146.0		
		4.0	25.0	265.3		
	19.0	1.0	1,506.6	87.3		
12.5	29.6	8.9	2,443.4	778.1		
			<b>(60-07-00) Division of Industrial Affairs</b>			
134.0	4.0				145.7	
					0.1	
					173.3	
					1.0	
					2.0	
					3.0	
					108.9	
134.0	4.0		<b>TOTAL -- Unemployment Insurance</b>		434.0	
			<b>(60-07-00) Division of Industrial Affairs</b>			
	4.0		434.0			
134.0	4.0		434.0			
			<b>(60-07-00) Division of Industrial Affairs</b>			
8.0	55.0				2,714.9	
					30.8	
					640.0	
					41.0	
					16.1	
					5,000.0	
8.0	55.0		<b>TOTAL -- Division of Industrial Affairs</b>		8,442.8	
			<b>(60-07-00) Division of Industrial Affairs</b>			
6.0	35.0		7,478.4			
2.0	20.0		964.4			
8.0	55.0		8,442.8			

**(60-00-00) DEPARTMENT OF LABOR**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(60-08-00) Vocational Rehabilitation</b>			
114.9	6.1	2.0	Personnel Costs		361.9	80.7
			Travel			0.5
			Contractual Services		254.1	1,931.0
			Supplies and Materials			76.9
			Other Items:			
			Sheltered Workshop			310.4
			Governor's Committee		15.0	13.0
114.9	6.1	2.0	<b>TOTAL -- Vocational Rehabilitation</b>		631.0	2,412.5
82.9	6.1	2.0	(-10) Vocational Rehabilitation Services		631.0	2,412.5
32.0			(-20) Disability Determination Services			
114.9	6.1	2.0	<b>TOTAL -- Internal Program Units</b>		631.0	2,412.5
			<b>(60-09-00) Employment and Training</b>			
89.9	4.0	24.1	Personnel Costs		184.9	955.5
			Travel		4.2	7.1
			Contractual Services		88.1	407.8
			Energy			1.6
			Supplies and Materials		6.2	17.6
			Capital Outlay		13.4	6.0
			Other Items:			
			Summer Youth Program			235.2
			Individual Skills Grant			281.6
			Welfare Reform			959.0
			Basic Skills		100.0	
			Blue Collar Skills		1,986.3	
89.9	4.0	24.1	<b>TOTAL -- Employment and Training</b>		2,383.1	2,871.4
89.9	4.0	24.1	(-20) Employment and Training Services		2,383.1	2,871.4
89.9	4.0	24.1	<b>TOTAL -- Internal Program Unit</b>		2,383.1	2,871.4
<b>359.3</b>	<b>98.7</b>	<b>35.0</b>	<b>TOTAL -- DEPARTMENT OF LABOR</b>		<b>14,334.3</b>	<b>6,062.0</b>

**(65-00-00) DEPARTMENT OF AGRICULTURE**

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Personnel		
NSF	ASF	GF
16.2	32.0	86.8
16.2	32.0	86.8

**(65-01-00) Agriculture**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,212.5	4,434.8
Travel			56.7	53.5
Contractual Services			314.8	439.3
Energy			6.3	99.5
Supplies and Materials			152.9	151.1
Capital Outlay			132.5	46.0
Other Items:				
Information, Education & Certification				225.0
Nutrient Management Contingency				153.7
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				107.2
Educational Assistance			15.0	
Revenue Refund			4.0	
Fingerprinting			79.0	
Equine Drug Testing			444.0	
Debt Service				97.9
<b>TOTAL -- Agriculture</b>			<b>3,417.7</b>	<b>6,180.5</b>

	1.0	19.0
		7.0
6.7	12.0	7.3
4.5	2.5	17.0
1.0	5.5	
3.0	6.0	
1.0		4.0
	0.5	14.5
		7.0
	4.5	
		8.0
		3.0
16.2	32.0	86.8

(-01) Administration	213.1	1,608.0
(-02) Agriculture Compliance	12.2	339.4
(-03) Food Products Inspection	703.9	405.5
(-04) Forest Service	274.0	890.9
(-05) Harness Racing Commission	938.1	
(-06) Pesticides	371.0	
(-07) Planning	41.8	341.1
(-08) Plant Industries	92.8	897.6
(-09) Poultry and Animal Health		425.1
(-10) Thoroughbred Racing Commission	770.8	
(-11) Weights and Measures		424.3
(-12) Nutrient Management		848.6
<b>TOTAL -- Internal Program Units</b>	<b>3,417.7</b>	<b>6,180.5</b>

<b>16.2</b>	<b>32.0</b>	<b>86.8</b>
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**TOTAL -- DEPARTMENT OF AGRICULTURE**

<b>3,417.7</b>	<b>6,180.5</b>
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**(70-00-00) DEPARTMENT OF ELECTIONS**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(70-01-01) Commissioner of Elections</b>			
		11.0				481.5
						1.3
						256.8
						19.4
						0.8
						17.0
						20.0
						380.0
		11.0	<b>TOTAL -- Commissioner of Elections</b>			1,176.8
			<b>(70-02-01) New Castle County Department of Elections</b>			
		17.0				781.0
						13.1
						175.6
						16.1
						6.9
						10.0
						3.5
		17.0	<b>TOTAL -- New Castle County Department of Elections</b>			1,006.2
			<b>(70-03-01) Kent County Department of Elections</b>			
		8.0				400.5
						1.5
						144.3
						17.0
						5.1
						1.5
						3.0
		8.0	<b>TOTAL -- Kent County Department of Elections</b>			572.9
			<b>(70-04-01) Sussex County Department of Elections</b>			
		7.0				389.5
						1.4
						38.7
						12.2
						2.0
						2.1
		7.0	<b>TOTAL -- Sussex County Department of Elections</b>			445.9
		<b>43.0</b>	<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>			<b>3,201.8</b>



**(75-00-00) FIRE PREVENTION COMMISSION**

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Personnel		
NSF	ASF	GF
	28.2	22.8
	28.2	22.8

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			1,245.4	1,291.7
Travel			34.0	
Contractual Services			395.3	154.1
Energy				58.2
Supplies and Materials			71.0	37.5
Capital Outlay			377.5	39.8
Other Items:				
Revenue Refund			1.5	
Juvenile Firesetter Intervention Program				2.0
Tobacco Fund				
Delaware Fire Detection Fund			500.0	
Debt Service				223.4
<b>TOTAL -- Office of the State Fire Marshal</b>			<b>2,624.7</b>	<b>1,806.7</b>

**(75-02-01) State Fire School**

NSF	ASF	GF			
		18.0	Personnel Costs		923.7
			Contractual Services		384.0
			Energy		115.8
			Capital Outlay		75.0
			Other Items:		
			Fire School Operations	50.0	
			Local Emergency Planning Committee	50.0	
			Stress Management		5.0
			Debt Service		359.1
		18.0	<b>TOTAL -- State Fire School</b>	<b>100.0</b>	<b>1,862.6</b>

**(75-03-01) State Fire Prevention Commission**

NSF	ASF	GF			
		1.0	Personnel Costs		44.2
			Travel		25.5
			Contractual Services	7.5	25.0
			Supplies and Materials		2.6
			Other Items:		
			State-wide Fire Safety Education		100.0
			Contingency - Extraordinary Expenses		16.0
			Governors Fire Safety Conference	10.0	7.2
			Background Checks		10.0
			Debt Service		
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>	<b>17.5</b>	<b>230.5</b>

	<b>28.2</b>	<b>41.8</b>	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>	<b>2,742.2</b>	<b>3,899.8</b>
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**(76-00-00) DELAWARE NATIONAL GUARD**

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Personnel		
NSF	ASF	GF
75.3		31.0
<b>75.3</b>		<b>31.0</b>

**(76-01-01) Delaware National Guard**

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Other Items:  
     Educational Assistance  
     Unit Fund Allowance  
     Debt Service

**TOTAL -- DELAWARE NATIONAL GUARD**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	1,783.1
	4.7
	252.4
	457.0
	94.5
	490.0
	3.7
	309.6
	<b>3,395.0</b>

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

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Personnel		
NSF	ASF	GF
		2.0
		<b>2.0</b>

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

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			91.6
			6.0
			12.1
			1.1
			<b>110.8</b>

**(90-00-00) HIGHER EDUCATION**

	Personnel			\$ Program		\$ Line Item		
	NSF	ASF	GF	ASF	GF	ASF	GF	
1	<b>(90-01-00) University of Delaware</b>							
2	<b>(90-01-01) University of Delaware</b>							
3	Operations							79,418.4
4	Scholarships							7,872.1
5	Agricultural Programs							3,375.9
6	Other Programs							9,775.5
7	The College School							81.5
8	Medical Technology							37.3
9	Debt Service							7,308.0
10	MCI/Equipment							1,500.0
11	<b>TOTAL -- University of Delaware</b>							<b>109,368.7</b>
12	<b>(90-01-02) Delaware Geological Survey</b>							
13	Operations							1,224.1
14	River Master Program							90.0
15	<b>TOTAL -- Delaware Geological Survey</b>							<b>1,314.1</b>
16	<b>TOTAL -- University of Delaware</b>							<b>110,682.8</b>
17	<b>(90-03-00) Delaware State University</b>							
18	<b>(90-03-01) Operations</b>							
19	Operations							24,046.1
20	Administrative Computing							125.0
21	Work Study							211.7
22	Faculty Development							100.0
23	Mishoe Scholarships							50.0
24	Cooperative Extension							154.3
25	Cooperative Research							238.6
26	Title VI Compliance							220.0
27	Academic Incentive							50.0
28	General Scholarships							506.0
29	Athletic Grant							133.1
30	Aid to Needy Students							854.8
31	Energy							1,479.7
32	Debt Service							5,552.8
33	MCI/Equipment							615.2
34	<b>TOTAL -- Operations</b>							<b>34,337.3</b>
35	<b>(90-03-05) Sponsored Programs and Research</b>							
36	<b>TOTAL -- Delaware State University</b>							<b>34,337.3</b>

**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

**(90-04-01) Office of the President**

10.0		43.0
10.0		43.0

Personnel Costs			3,323.5
Travel			6.8
Contractual Services			155.2
Energy			25.0
Supplies and Materials			29.7
Capital Outlay			2.0
Occupational Teacher Program			36.8
Academic Incentive			50.0
Salary Plan A & D			1,132.2
Parallel Program - Operations			273.8
Parallel Program - Academic			1,502.5
Debt Service			12.5
TOTAL -- Office of the President			6,550.0

**(90-04-02) Owens Campus**

49.0		191.0
49.0		191.0

Personnel Costs			12,166.1
Contractual Services			142.8
Energy			550.3
Supplies and Materials			4.0
Capital Outlay			42.4
Grants			48.2
Aid to Needy Students			172.8
Day Care Training			16.8
Work Study			31.2
Debt Service			2,261.5
TOTAL -- Owens Campus			15,436.1

**(90-04-04) Wilmington Campus**

42.0		153.0
42.0		153.0

Personnel Costs			9,460.0
Contractual Services			333.7
Energy			470.3
Capital Outlay			76.1
Aid to Needy Students			137.8
Grants			27.5
Dental Program			78.8
Day Care Training			17.2
Work Study			35.1
Debt Service			2,070.7
TOTAL -- Wilmington Campus			12,707.2

**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF
30.0		186.0
30.0		186.0

**(90-04-05) Stanton Campus**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs				11,871.6
Contractual Services				113.2
Energy				247.3
Capital Outlay				9.0
Aid to Needy Students				122.8
Grants				22.5
Work Study				36.1
Debt Service				700.8
<b>TOTAL -- Stanton Campus</b>				<b>13,123.3</b>

**(90-04-06) Terry Campus**

			\$ Line Item	
44.4		124.0		7,387.3
				343.3
				358.8
				20.8
				55.0
				1.0
				145.3
				6.0
				21.7
				21.0
				51.8
				990.2
44.4		124.0		<b>9,402.2</b>

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

175.4		697.0		57,218.8
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**(90-07-01) Delaware Institute of Veterinary  
Medical Education**

				199.0
<b>TOTAL -- Delaware Institute of Veterinary Medical Education</b>				199.0

175.4		697.0	<b>TOTAL -- HIGHER EDUCATION</b>	<b>202,437.9</b>
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**(95-00-00) DEPARTMENT OF EDUCATION**

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**Personnel**

NSF	ASF	GF
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**\$ Program**

ASF	GF
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**\$ Line Item**

ASF	GF
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**(95-01-00) State Board of Education and  
State Board for Vocational Education  
and Department of Education**

67.3		110.2	Personnel Costs		9,112.0
			Travel		35.8
			Contractual Services		201.3
			Supplies and Materials		36.6
			Capital Outlay		37.6
			State Board of Education		224.5
			Tobacco:		
	1.0		Prevention/Education	217.7	
			Other Items:		
			Infrastructure Capacity		1,300.0
			Educator Accountability		2,120.0
		4.0	Americorps Kickstart Program		311.1
			Family Involvement		35.0
			Pupil Accounting		1,254.1
			Teacher in Space		112.5
			Education Compact of the States		43.7
			Private Business and Trade School		2.0
			Evaluation-Higher Education		1.0
			Teacher of the Year		54.9
			Odyssey of the Mind		40.0
			Computer Center	65.1	580.7
			Educator Certification and Development		160.8
		1.0	Professional Standards Board		163.7
			Student Mentoring		500.0
		0.5	Science in Motion		260.6
			School Profiles		150.0
			Delaware Student Testing Program		
			On Grade Assessment		3,976.9
			Off Grade Assessment		2,884.5
			Retest/End of Summer/Additional Indicators		1,888.7
			Student Standards & Assessment	100.0	529.5
			MCI/Annual Maintenance		7,149.1
			DE Educator Recruitment Initiative		60.0
			Contingency - Background Checks		100.0
			Tallman Scholarships		3.8
			Department of Education Library		34.0
			Trailer Rental Fund		27.5
			DOE Publications		15.0
	1.0		Delaware Secondary School Athletic Fund	500.0	
			Registration Fees		40.0
			<b>TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education</b>		
67.3	2.0	115.7		1,003.1	33,326.6

67.3	2.0	115.7
67.3	2.0	115.7

(-01) State Board of Education and Department of Education	1,003.1	33,326.6
<b>TOTAL -- Internal Program Unit</b>	<b>1,003.1</b>	<b>33,326.6</b>

**(95-00-00) DEPARTMENT OF EDUCATION**

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**Personnel**

NSF	ASF	GF
		10,535.0
		10,535.0

**(95-02-00) School District Operations**

Division I Units ( 7,092)  
 Formula Salaries  
 Cafeteria Funds  
 Other Employment Costs  
 Division II Units ( 8,139)  
 All Other Costs  
 Energy  
 Division III  
 Equalization  
 Other Items  
 General Contingency  
 Guaranteed Unit Count  
 School Building Awards  
 Other Items  
 Delmar Tuition  
 Charter School Tax Relief Funds  
 Debt Service  
 Department of Education  
 School Districts  
**TOTAL -- School District Operations**

**\$ Program**

**\$ Line Item**

ASF	GF
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ASF	GF
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	328,196.2
	5,823.3
	111,132.6
	26,427.5
	13,689.9
	58,887.5
	4,869.8
	1,000.0
	2,900.0
	392.4
	268.7
	484.1
	1,244.3
	18,803.8
	574,120.1

		10,535.0
		10,535.0

(-01) Division Funding  
 (-02) Other Items  
 (-03) Debt Service  
**TOTAL -- Internal Program Units**

	544,157.0
	9,915.0
	20,048.1
	574,120.1



**(95-00-00) DEPARTMENT OF EDUCATION**

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Personnel		
NSF	ASF	GF
	2.0	1.5
	1.0	1.0
	1.0	
		34.7
	4.0	50.2

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(95-03-00) Block Grants and Pass Through Programs</b>				
Education Block Grants				
Adult Education and Work Force Training				
Grant				6,830.6
Professional Accountability and Instructional				
Advancement Fund				8,250.5
Academic Excellence Block Grant				28,391.8
K-12 Pass Throughs				
Delaware Nature Society				9.9
Beach House				73.0
Read Aloud				240.0
Strive				90.0
Summer School - Gifted & Talented				179.2
Center for Economic Education				201.2
Educational Resources				232.2
DE Institute for Arts in Education				136.5
Advanced Studies				97.2
Youth and Vocational Student Organization				148.2
Parent Early Education Center				1,198.3
Pregnant Students				272.9
Delaware Teacher Center				467.3
Reading Assist				226.0
Smithsonian Project			400.0	1,105.9
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
Program for Children with Disabilities				2,538.8
Unique Alternatives			890.7	8,790.0
Exceptional Student Unit - Vocational				656.8
Related Services for the Handicapped				2,197.6
Adolescent Day Program				36.0
Children Services Cost Recovery Project			750.7	
Sterck Summer Program				40.0
Tech-Prep 2 + 2				422.2
Student Discipline Program				15,470.2
Extra Time for Students				10,428.0
Limited English Proficient				1,000.0
Prison Education				2,622.1
Innovative After School Initiatives				200.0
Reading Resource Teachers				2,500.0
Driver Training				
Driver's Education				1,359.9
<b>TOTAL -- Block Grants and Pass Through Programs</b>			2,041.4	102,229.1

	2.0	1.5
	2.0	35.7
		13.0
	4.0	50.2

(-10) Education Block Grants		43,472.9
(-15) K-12 Pass Throughs	400.0	6,068.9
(-20) Special Needs Programs	1,641.4	51,327.4
(-30) Driver Training		1,359.9
<b>TOTAL -- Internal Program Units</b>	2,041.4	102,229.1





# GENERAL

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

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

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

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

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

21  
22       Section 7. The abbreviations set forth in this Act for special fund authorized positions or funding  
23 mean funding from the following:

24                    ASF - Appropriated Special Funds

25                    NSF - Non-appropriated Special Funds

26                    TFO - Trust Fund Operations

27                    TFC - Trust Fund Capital



1	9	25,582	31,978	38,374
2	10	27,373	34,217	41,060
3	11	29,287	36,609	43,931
4	12	31,338	39,173	47,007
5	13	33,533	41,916	50,299
6	14	35,876	44,845	53,814
7	15	38,390	47,988	57,585
8	16	41,080	51,350	61,620
9	17	43,955	54,944	65,932
10	18	47,028	58,785	70,543
11	19	50,322	62,903	75,483
12	20	53,848	67,310	80,772
13	21	57,615	72,019	86,423
14	22	61,648	77,060	92,472
15	23	65,965	82,456	98,947
16	24	70,585	88,231	105,877
17	25	75,523	94,404	113,284
18	26	80,809	101,012	121,214

19 \* - Annual Salary in Whole Dollars.

20

21 **STATE OF DELAWARE PAY PLAN\***

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

23	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
24	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
25	1	15,880*	19,850	23,820
26	2	16,992	21,240	25,489
27	3	18,181	22,727	27,272

1	4	19,453	24,317	29,180
2	5	20,819	26,023	31,228
3	6	22,274	27,842	33,410
4	7	23,833	29,791	35,749
5	8	25,502	31,878	38,254
6	9	27,287	34,109	40,931
7	10	29,196	36,496	43,795
8	11	31,238	39,048	46,857
9	12	33,427	41,784	50,141
10	13	35,767	44,709	53,650
11	14	38,272	47,840	57,408
12	15	40,950	51,188	61,425
13	16	43,819	54,774	65,729
14	17	46,884	58,605	70,326
15	18	50,164	62,706	75,247
16	19	53,677	67,097	80,516
17	20	57,437	71,796	86,155
18	21	61,459	76,823	92,188
19	22	65,761	82,201	98,641
20	23	70,360	87,951	105,541
21	24	75,288	94,110	112,932
22	25	80,558	100,697	120,837
23	26	86,197	107,746	129,295

24 \* - Annual Salary in Whole Dollars.

25 (i) Merit Rule 5.0200 notwithstanding, the standard work week for employees in the following  
26 classification series and designated positions assigned to the Department of Transportation's

1                   Transportation Management Center as approved by the Personnel Director, Budget Director  
2                   and Controller General shall be 40 hours:



1	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
2	Department of Correction	Community Work Program Coordinator
3		Correctional Officer
4		Correctional Security Superintendent
5		Director of Community Services
6		Food Services Quality Control Administrator
7		Pre-Release Services Administrator
8		Pre-Trial Presentence Manager
9		Probation & Parole Officer I
10		Probation & Parole Officer II
11		Probation & Parole Regional Manager
12		Probation & Parole Supervisor
13		Senior Probation and Parole Officer
14		Support Services Manager – DCC
15		Special Services Manager
16		Training and Staff Development Officer
17		Treatment Administrator - DCC
18		Warden
19	Department of Public Safety	Telecommunication Specialist (ERC)
20		Telecommunication Central Control Specialist
21	Department of Transportation	Toll Collectors
22		Toll Supervisors
23		Toll Corporals
24		Toll Sergeants
25	Department of Agriculture	Meat Inspectors
26		Meat and Poultry Inspection Coordinators
27	State Fire School	Emergency Services Training Administrator

(ii) During the fiscal year ending June 30, 2002, the State Personnel Director may designate, with the concurrence of the Budget Director and the Controller General, other appropriate classes or groups of employees to work and be paid according to a standard work week of 40 hours. Such designation shall be based upon the operational necessity of agencies to require employees to regularly and consistently work in excess of 37.5 hours per week and upon the availability of any required funding.

**(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 (1) The appointing authority shall identify job classes or job families to be considered for  
2 selective market variations according to turnover rates, recruitment problems, vacancy  
3 rates, feasibility for the work to be performed on a contractual basis and other criteria  
4 established by the State Personnel Director.
- 5 (2) Upon receipt of the identified classes, the State Personnel Director shall survey the  
6 appropriate labor market to determine the State's position in this labor market.
- 7 (3) The Budget Director, the State Personnel Director and the Controller General shall  
8 review the information provided in Sections 8(c)(1) and (2) and shall recommend  
9 approval or disapproval for the classes for selective market compensation variations.
- 10 (4) Any such selective market variations which the State Personnel Director, the Budget  
11 Director and the Controller General have determined to be warranted and have been  
12 approved by the Joint Finance Committee, shall be designated to become effective  
13 July 1, 2001, provided that such variations have been processed as part of the regular  
14 budgetary process and the funds for such changes shall be appropriated.
- 15 (5) The State Personnel Director shall establish criteria with the State Budget Director and  
16 the Controller General to allow for selective market to be effective January 1, 2002. An  
17 appointing authority may apply for selective market variation for job classes or job  
18 families that are experiencing severe recruitment and retention issues for January 1, 2002.  
19 Funds must be available within the agency budget to fund the selective market variation  
20 until such time as the General Assembly appropriates such funds.
- 21 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised  
22 according to the results of the labor market surveys for the job class. For the purposes of  
23 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint  
24 and the maximum value shall remain at 125 percent unless the minimum value under the  
25 selective market range for a class is less than the minimum value of the merit system pay  
26 range. The minimum for the class on selective market shall be no less than the merit

1 system pay range minimum value. No further increases shall be applied to the scale  
2 and/or the midpoints.

3 (7) Employees assigned to job classifications approved under the selective market variation  
4 program shall have their salaries adjusted in accordance with the following:

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

12 (ii) The salary of employees in positions added to the selective market variation program  
13 before June 30, 2001, after the application of the general increase outlined in  
14 Section 8(d)(1), whose salary in effect as of June 30, 2001, is below the adjusted  
15 minimum salary for the assigned job classification shall be increased to the adjusted  
16 minimum salary or an advanced starting salary recommended by the State Personnel  
17 Director and the salary of employees whose current salary falls within the adjusted  
18 salary range shall not be increased.

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

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

4 (d) **SALARY INCREASES FOR FISCAL YEAR 2002.**

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

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

10 (i) Effective July 1, 2001, the salary of each employee shall be increased by  
11 2 percent or by \$650.00, whichever is greater.

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

15 (2) (i) The provisions of Subsection (d) of this Section shall not apply to the employees  
16 of the General Assembly - House or the General Assembly - Senate. Salaries for  
17 those employees will be established by the Speaker of the House of  
18 Representatives and the President Pro-Tempore of the Senate, respectively.

19 (ii) The provisions of Subsection (d) of this Section shall not apply to the Governor,  
20 members of the General Assembly, Deputy Attorneys General covered by the  
21 pay plan adopted for Fiscal Year 2000, DNREC employees covered by the  
22 competency based pay plan, Uniformed State Police, all full-time and regular  
23 part-time non-merit Telecommunications Specialists, Senior  
24 Telecommunications Specialist, Telecommunication Shift Supervisors,  
25 Telecommunications Central Control Specialists, Senior Telecommunications  
26 Central Control Specialists and Telecommunications Central Control Shift  
27 Supervisors employed in the Communications Section of the Division of State

1 Police in the Department of Public Safety, employees of the University of  
2 Delaware, Delaware State University and members and employees of the  
3 Delaware National Guard, excluding the Adjutant General. Funds have been  
4 appropriated in Section 1 of this Act for Delaware State University and for the  
5 University of Delaware to provide for an increase in salaries paid from General  
6 Funds.

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

12 (iv) Notwithstanding Chapters 5.0 and 6.0 of the Merit rules, any Merit System  
13 employee who is covered by the Competency Based Pay Plan provided to the  
14 Controller General's Office on June 8, 1998, shall receive a 2 percent salary  
15 increase effective July 1, 2001. This plan shall continue as it was established in  
16 71 Del. Laws, c. 354 § 247, in Fiscal Year 2002. In addition, the salary levels  
17 established in the competency Base Pay Plan shall be increased by 2 percent  
18 effective July 1, 2001.

19 (v) Notwithstanding Chapters 5.0 and 6.0 of the Merit rules, any attorney covered  
20 under the salary matrices approved for the Office of the Attorney General and the  
21 Public Defender shall receive a 2 percent salary increase, effective July 1, 2001.  
22 These plans shall continue as established and in addition, the salary levels  
23 contained in the approved matrices shall be increased by 2 percent, effective  
24 July 1, 2001.

1           (e) **MAINTENANCE REVIEWS.**

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

9           (f) **CRITICAL RECLASSIFICATIONS.**

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

15          (g) **OTHER RECLASSIFICATIONS.**

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

18          (h) **STATE AGENCY TEACHERS AND ADMINISTRATORS.**

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

25          (i) **ADMINISTRATIVE REGULATIONS.**

26           (1) The administrative regulation and procedures necessary to implement this Section shall  
27           be promulgated by the State Personnel Director, Budget Director and Controller General.

1 (2) During the fiscal year ending June 30, 2002, paragraph 5.1100 of the Merit Rules for a  
2 Merit System of Personnel Administration shall be null and void.

3 (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the  
4 performance review prescribed by Office of State Personnel after applicable training by  
5 the Office of State Personnel. A performance review shall be completed for employees  
6 between January 1 and December 31, 2002.

7 (4) Employees who retain salary upon voluntary demotion in accordance with Merit Rule  
8 13.0340 shall be ineligible for a promotional increase upon promotion to a paygrade  
9 lower than or equal to their original paygrade prior to voluntary demotion for a one year  
10 period from the date of their voluntary demotion.

11 (j) **HOLIDAY PAY - DEPARTMENT OF TRANSPORTATION TOLL COLLECTION**  
12 **AND TRANSPORTATION MANAGEMENT CENTER EMPLOYEES.**

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

19 (k) **OVERTIME FOR WEATHER RELATED EMERGENCIES - DEPARTMENT OF**  
20 **TRANSPORTATION EMPLOYEES.**

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



1 entitled to receive compensation at their straight time rate of pay for all overtime services  
2 performed beyond the normal work week.

3 **(l) CALL BACK PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

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

7 **(m) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

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

11 **(n) SALARY PLAN - PUBLIC EDUCATION.**

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

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

16 “The base salary amount for this section, for the fiscal year ending June 30, 2002,  
17 shall be \$23,134.”

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

20

21 "Years of						
22 Experience	Clerk	Secretary	Senior	Financial	Administrative	
23			Secretary	Secretary	Secretary	
24						
25 0	11,923	13,344	14,168	14,649	15,448	
26 1	12,442	13,881	14,709	15,193	15,999	
27 2	12,960	14,421	15,252	15,739	16,552	
28 3	13,480	14,962	15,793	16,282	17,103	
29 4	13,998	15,501	16,334	16,827	17,656	
30 5	14,518	16,041	16,877	17,372	18,207	

1	6	15,035	16,580	17,419	17,917	18,760
2	7	15,554	17,118	17,961	18,461	19,311
3	8	16,073	17,659	18,503	19,005	19,864
4	9	16,591	18,198	19,044	19,550	20,415
5	10	17,110	18,737	19,585	20,096	20,967
6	11	17,629	19,276	20,126	20,640	21,519
7	12	18,147	19,815	20,670	21,184	22,072
8	13	18,666	20,355	21,212	21,729	22,623
9	14	19,185	20,895	21,752	22,275	23,174
10	15	19,704	21,434	22,294	22,818	23,728
11	16	20,222	21,973	22,836	23,362	24,279
12	17	20,742	22,513	23,379	23,907	24,830
13	18	21,259	23,052	23,921	24,451	25,382
14	19	21,778	23,592	24,462	24,998	25,935
15	20	22,295	24,131	25,003	25,542	26,486
16	21	22,826	24,682	25,557	26,098	27,050
17	22	23,371	25,246	26,124	26,667	27,627"

18

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

21				<b>Chief</b>	<b>Chief</b>		
22				<b>Custodian</b>	<b>Custodian</b>		
23				<b>Supervising</b>	<b>Supervising</b>		
24	<b>“Years of</b>	<b>Custodian</b>	<b>Fireman</b>	<b>5 or Fewer</b>	<b>6 or More</b>	<b>Maintenance</b>	<b>Skilled</b>
25	<b>Exp.</b>	<b>Custodian</b>	<b>Fireman</b>	<b>Custodians</b>	<b>Custodians</b>	<b>Mechanic</b>	<b>Craftsman</b>
26							
27	0	14,821	15,364	15,639	16,729	17,235	17,680
28	1	15,229	15,774	16,049	17,140	17,709	18,229
29	2	15,639	16,182	16,459	17,547	18,186	18,774
30	3	16,048	16,592	16,867	17,955	18,660	19,319
31	4	16,459	17,000	17,278	18,367	19,074	19,865
32	5	16,867	17,407	17,682	18,776	19,610	20,410
33	6	17,278	17,821	18,093	19,183	20,085	20,955
34	7	17,682	18,231	18,501	19,591	20,561	21,501
35	8	18,093	18,638	18,911	20,001	21,036	22,046
36	9	18,501	19,047	19,319	20,410	21,509	22,594

1	10	18,911	19,457	19,728	20,820	21,986	23,137
2	11	19,319	19,868	20,139	21,226	22,461	23,684
3	12	19,736	20,289	20,560	21,641	22,946	24,244
4	13	20,163	20,720	20,991	22,065	23,442	24,818"

5

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

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

12

**"SCHOOL FOOD SERVICE MANAGERS**

13

**Number of Pupils in School Served by Cafeteria**

14

15	Yrs of							
16	Exp.	Below 351	351-500	501-800	801-1200	1201-1600	1601-2000	2000+
17								
18	0	13,513	14,397	15,279	16,161	17,047	18,227	18,813
19	1	13,954	14,835	15,722	16,604	17,486	18,371	19,255
20	2	14,397	15,279	16,161	17,047	17,927	18,813	19,696
21	3	14,835	15,722	16,604	17,486	18,371	19,255	20,138
22	4	15,279	16,161	17,047	17,927	18,813	19,696	20,580
23	5	15,722	16,604	17,486	18,371	19,255	20,138	21,023
24	6	16,161	17,047	17,927	18,813	19,696	20,580	21,463
25	7	16,604	17,486	18,371	19,255	20,138	21,023	21,905
26	8	17,047	17,927	18,813	19,696	20,580	21,463	22,349
27	9	17,486	18,371	19,255	20,138	21,023	21,905	22,791
28	10	17,927	18,813	19,696	20,580	21,463	22,349	23,230
29	11	18,371	19,255	20,138	21,023	21,905	22,791	23,672

1	12	18,813	19,696	20,580	21,463	22,349	23,230	24,116
2	13	19,255	20,138	21,023	21,905	22,791	23,672	24,557
3	14	19,696	20,580	21,463	22,349	23,230	24,116	25,002
4	15	20,138	21,023	21,905	22,791	23,672	24,557	25,445
5	16	20,592	21,477	22,357	23,241	24,124	25,006	25,897
6	17	21,057	21,942	22,819	23,701	24,585	25,464	26,358"

7

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

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

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

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

23	<b>Years of</b>		
24	<b>Experience</b>	<b>General Worker</b>	<b>Cook/Baker</b>
25			
26	0	8.11	8.88
27	1	8.24	8.99
28	2	8.38	9.11
29	3	8.46	9.21

1	4	8.58	9.34
2	5	8.74	9.50
3	6	8.87	9.60
4	7	8.96	9.68
5	8	9.03	9.76
6	9	9.13	9.88
7	10	9.24	10.02
8	11	9.41	10.14
9	12	9.53	10.27
10	13	9.65	10.38
11	14	9.76	10.48
12	15	9.88	10.63
13	16	10.03	10.77
14	17	10.16	10.86
15	18	10.30	10.95
16	19	10.44	11.05"

(6) Amend 14 Del. C. § 1324(b), by striking the salary schedule contained in said

subsection in its entirety and by substituting in lieu thereof the following:

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

	<b>Years of Experience</b>	<b>Service Aides</b>	<b>Instructional Aides</b>
23			
24			
25	0	11,179	13,325
26	1	11,499	13,718
27	2	11,820	14,110
28	3	12,144	14,504
29	4	12,465	14,895
30	5	12,784	15,290
31	6	13,105	15,682
32	7	13,426	16,075
33	8	13,747	16,466
34	9	14,070	16,859
35	10	14,390	17,250

1	11	14,709	17,645
2	12	15,032	18,036
3	13	15,352	18,429
4	14	15,672	18,820
5	15	15,994	19,216
6	16	16,316	19,607
7	17	16,636	20,000
8	18	16,957	20,391
9	19	17,279	20,784
10	20	17,599	21,177
11	21	17,927	21,577
12	22	18,262	21,985"

13

14 (7) Each school district shall continue to use salary schedules not less than those 14 Del. C.  
15 § 1322, for all school lunch employees.

16 (8) Effective July 1, 2001, the State shall pay 66 percent of the annual salary rate for school  
17 lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 53  
18 percent of salary rate for school lunch employees as set forth in the salary schedule 14  
19 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for school lunch  
20 employees shall be paid from local funds. The State shall pay other employment costs  
21 for school lunch employees at the ratio of state supported salaries to total salaries,  
22 provided for by this Section, for school lunch employees.

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

25 (10) Section 1 of this Act provides an amount for salaries and other employment costs for  
26 Formula Employees in Public Education. Additional amounts are included in some  
27 Block Grants and Pass Through Programs (95-03-00). Local school districts must  
28 charge payroll for local share salary supplements and other employment costs and  
29 fringe benefits simultaneously with state-share charges. The amount of salary and other  
30 employment costs that can be charged to state appropriations for any one-day period or

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

7  
8 **(o) SALARY PLAN - DELAWARE TECHNICAL AND COMMUNITY COLLEGE.**

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

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

16  
17 Section 9. (a) Except as specifically authorized to the contrary by the Delaware Code, no state  
18 employee whose title is designated in this Act shall receive total compensation whether in wages, salary,  
19 wages-in-kind, food allotment bonus, or overtime from agencies of this State in excess of the total amount  
20 specified in such line item regardless of the source of funds involved. No full-time, part-time or  
21 casual/seasonal employee of the State of Delaware shall receive any additional stipend for the purchase of  
22 food, be supplied with food, or be reimbursed for food that was consumed during normal working hours  
23 within the State; except as provided in 29 Del. C. § 5112(b); or unless approval has been granted by the  
24 Budget Director and the Controller General; provided, however that this Section shall not apply to State  
25 Police recruits during the period of their training. In the event that an employee shall receive excessive  
26 compensation, the amount of the appropriation from the General Fund shall be reduced by the amount of  
27 such excessive compensation and the Attorney General shall take such steps as are necessary to recover

1 from such employee any such excessive amount as has actually been paid. In the event the "All Other"  
2 part of the salary is made up entirely of federal funds, and such federal funds are terminated or reduced,  
3 the state appropriation is hereby increased to provide the "Total Salary" indicated. An agency may  
4 provide housing for such employee without reduction in the salary provided such housing is on the site of  
5 the principal location of employment and further provided that the head of the department or agency has  
6 determined that such location of the employee is necessary to the operation of the agency and that the  
7 employee has no other employment. No agency shall provide an employee with a housing allowance or  
8 compensation for housing.

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

16



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

3			<b>General</b>	<b>All Other</b>
4	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>	<b><u>Funds</u></b>	<b><u>Funds</u></b>
5	(01-01-01)	Representative	34.1	
6	(01-02-01)	Senator	34.1	
7				
8	(02-01-00)	Chief Justice - Supreme Court	149.5	
9	(02-01-00)	Justice - Supreme Court	144.1	
10	(02-02-00)	Chancellor - Court of Chancery	142.4	
11	(02-02-00)	Vice Chancellor - Court of Chancery	137.4	
12	(02-03-00)	President Judge - Superior Court	142.4	
13	(02-03-00)	Associate Judge - Superior Court	137.4	
14	(02-03-00)	Commissioner- Superior Court	84.0	
15	(02-03-00)	New Castle County Prothonotary	56.1	
16	(02-03-00)	Kent County Prothonotary	49.7	
17	(02-03-00)	Sussex County Prothonotary	49.7	
18	(02-06-00)	Chief Judge - Court of Common Pleas	141.0	
19	(02-06-00)	Judge - Court of Common Pleas	133.8	
20	(02-06-00)	Commissioner - Court of Common Pleas	84.0	
21	(02-08-00)	Chief Judge - Family Court	142.4	
22	(02-08-00)	Associate Judge - Family Court	137.4	
23	(02-08-00)	Commissioner - Family Court	84.0	
24	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	98.5	

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	56.5	
4	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	58.4	
5	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	60.3	
6	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	105.8	
7	(02-18-00)	Public Guardian	58.8	
8	(02-18-00)	Executive Director - Violent Crimes Compensation		
9		Board		48.0
10	(02-18-00)	Executive Director - Child Placement Review Board	53.1	
11				
12	(10-01-01)	Governor	114.0	
13	(10-02-00)	Budget Director	111.2	
14	(10-02-07)	Director - SAC	77.6	
15	(10-03-01)	Director - Delaware Economic Development Office	103.9	
16	(10-04-00)	Personnel Director	103.9	
17	(10-07-01)	Executive Director - CJC	78.6	
18	(10-07-01)	Director – Domestic Violence Coordinating Council	57.8	
19	(10-07-02)	Executive Director - DELJIS	69.7	
20	(10-08-01)	Director - Delaware State Housing Authority		96.9
21	(10-09-00)	Executive Director - Information Services	111.2	
22				
23	(12-01-01)	Lieutenant Governor	61.2	
24	(12-02-01)	Auditor	88.1	
25	(12-03-02)	Insurance Commissioner	88.1	
26	(12-05-01)	State Treasurer	92.2	

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(15-01-01)	Attorney General	114.4	
4	(15-01-01)	Chief Deputy Attorney General	107.8	
5	(15-02-01)	Public Defender	114.4	
6	(15-02-01)	Chief Deputy Public Defender	107.8	
7	(15-03-01)	Parole Board Chairman	70.0	
8				
9	(20-01-00)	Secretary - State	103.9	
10	(20-02-00)	Director - Human Relations	61.9	
11	(20-03-00)	Director – Division of Archives	68.9	
12	(20-05-00)	Director - Corporations		94.5
13	(20-06-00)	Director - Historical and Cultural Affairs	77.8	
14	(20-07-00)	Director - Arts	63.2	
15	(20-08-00)	State Librarian	68.2	
16	(20-15-00)	State Banking Commissioner		93.8
17				
18	(25-01-00)	Secretary – Finance	111.2	
19	(25-05-00)	Director - Accounting	90.1	
20	(25-06-00)	Director – Revenue	104.8	
21	(25-07-00)	Director - State Lottery		84.3
22				
23	(30-01-00)	Secretary - Administrative Services	96.9	
24	(30-01-00)	Director - Administration	76.6	
25	(30-01-00)	Executive Director - Public Employment Relations		
26		Board	66.5	
27	(30-03-00)	Public Advocate		71.4

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(30-03-00)	Director - Public Service Commission		76.4
4	(30-03-00)	Director - Professional Regulation		69.4
5	(30-04-00)	Director - Support Operations		70.6
6	(30-05-00)	Director - Facilities Management	81.8	
7	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	39.8	
8	(30-06-00)	Director - Support Services	74.1	
9				
10	(35-01-00)	Secretary - Health and Social Services	111.2	
11	(35-01-00)	Director - Management Services	86.6	9.7
12	(35-04-00)	Chief Medical Examiner	132.7	
13	(35-05-00)	Director - Public Health	138.8	
14	(35-06-00)	Director - Alcoholism, Drug Abuse & Mental Health	119.4	
15	(35-07-00)	Director - Social Services	48.2	48.2
16	(35-08-00)	Director - Visually Impaired	68.0	
17	(35-09-00)	Director - Long-Term Care Residence Protection	77.3	
18	(35-10-00)	Director - Child Support Enforcement	25.5	51.8
19	(35-11-00)	Director - Mental Retardation	96.4	
20	(35-12-00)	Director - State Service Centers	77.3	
21	(35-12-00)	Director - Community Services	63.2	
22	(35-14-00)	Director - Services for Aging and Adults		
23		with Physical Disabilities	77.3	
24				
25	(37-01-00)	Secretary - Services for Children,		
26		Youth and Their Families	103.9	
27	(37-01-00)	Director - Management Services	87.7	

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(37-03-00)	Director - Child Mental Health Services	107.9	
4	(37-05-00)	Director - Youth Rehabilitative Services	90.7	
5	(37-06-00)	Director - Family Services	87.7	
6				
7	(38-01-00)	Commissioner - Correction	111.2	
8	(38-01-00)	Bureau Chief - Management Services	79.8	
9	(38-04-00)	Bureau Chief - Prisons	96.4	
10	(38-06-00)	Bureau Chief - Community Corrections	91.8	
11				
12	(40-01-00)	Secretary - Natural Resources and		
13		Environmental Control	103.9	
14	(40-01-00)	Deputy Secretary - Natural Resources		
15		and Environmental Control	76.9	
16	(40-05-00)	Director - Fish and Wildlife	41.3	41.3
17	(40-06-00)	Director - Parks and Recreation	83.3	
18	(40-07-00)	Director - Soil and Water Conservation	82.6	
19	(40-08-00)	Director - Water Resources	85.1	
20	(40-09-00)	Director - Air and Waste Management	89.4	
21				
22	(45-01-00)	Secretary - Public Safety	103.9	
23	(45-01-00)	Director - Boiler Safety	53.4	
24	(45-01-00)	Director - Del. Emergency Management Agency	32.5	32.6
25	(45-03-00)	Commissioner – Alcoholic Beverage Control	96.9	
26	(45-04-00)	Director - Alcoholic Beverage		
27		Control and Tobacco Enforcement	68.6	

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(45-06-00)	Superintendent - State Police	113.1	
4	(45-06-00)	Assistant Superintendent - State Police	103.8	
5	(45-07-00)	Director - Motor Vehicles	82.1	
6				
7	(55-01-01)	Secretary - Transportation		103.9
8	(55-01-01)	Chief Engineer		83.1
9	(55-02-01)	Director - Administration		98.0
10	(55-03-01)	Director - Transportation Planning		98.0
11	(55-04-01)	Director - Highway Operations		98.0
12	(55-06-01)	Director - Delaware Transit Corporation		98.0
13	(55-07-10)	Director – Pre-Construction		98.0
14				
15	(60-01-00)	Secretary - Labor	9.2	84.4
16	(60-06-00)	Director - Unemployment Insurance	80.2	
17	(60-07-00)	Director - Industrial Affairs	80.2	
18	(60-08-00)	Director - Vocational Rehabilitation	80.2	
19	(60-09-00)	Director - Employment and Training	8.0	72.2
20				
21	(65-01-00)	Secretary - Agriculture	96.9	
22	(65-01-00)	Deputy Secretary - Agriculture	71.9	
23				
24	(70-01-01)	Commissioner - Elections	67.7	
25	(70-02-01)	Administrative Director - New Castle County Elections	64.1	
26	(70-02-01)	Deputy Administrative Director - New Castle		
27		County Elections	62.9	

	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>	<b><u>General Funds</u></b>	<b><u>All Other Funds</u></b>
1				
2				
3	(70-03-01)	Administrative Director - Kent County Elections	64.1	
4	(70-03-01)	Deputy Administrative Director - Kent County Elections	62.9	
5	(70-04-01)	Administrative Director - Sussex County Elections	64.1	
6	(70-04-01)	Deputy Administrative Director - Sussex County Elections	62.9	
7	(75-01-01)	State Fire Marshal	45.6	22.5
8	(75-02-01)	Director - State Fire School	68.1	
9				
10	(76-01-01)	Adjutant General	86.8	
11				
12	(95-01-00)	Secretary of Education	131.0	
13	(95-01-00)	Deputy Secretary of Education	107.4	
14	(95-06-00)	Executive Secretary - Advisory Council on Career		
15		and Vocational Education	84.9	
16	(95-08-01)	Executive Director - Higher Education Commission	70.5	
17				

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

(ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing authority shall submit a request with appropriate justification to the State Personnel Director to establish the salary commensurate with the qualifications of the proposed incumbent and within the position's evaluated pay range. In reviewing requests made pursuant to this paragraph, the State Personnel Director shall provide an analysis of the request and shall solicit the advice and written consent of the Budget Director and the 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 (viii) The salary listed in sub-section (a) of this section for "Executive Director – Information  
17 Services" or the Chief Information Officer as referred to in SB 215 or similar legislation  
18 may be adjusted upon the recommendations of the Budget Director with the approval of  
19 the Controller General and the Co-Chairs of the Joint Finance Committee.

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

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

July 1, 2001

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

25

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

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

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

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

7 (b) Effective July 1, 2001, each member of the Senate and the House of Representatives shall  
8 receive an annual salary, as determined in the annual appropriations act, for the period  
9 commencing on the 1<sup>st</sup> day of the 11<sup>th</sup> month in the year in which the member is elected  
10 through the 31<sup>st</sup> day of the 10<sup>th</sup> month in the year in which the term expires. The salary shall  
11 be payable biweekly and commence on the first state payday that occurs after the eleventh  
12 month, fifteenth day of the year in which the member is elected, and continues through the  
13 last state payday of the tenth month of the year in which the term expires.

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

17	1. President Pro Tempore of the Senate	\$16,932.00
18	2. Speaker of the House of Representatives	16,932.00
19	3. Majority and Minority Leader of the Senate	10,111.00
20	4. Majority and Minority Leader of the House	10,111.00
21	5. Chairperson and Vice Chairperson of the Joint Finance Committee	9,362.00
22	6. Majority and Minority Whip of the Senate	6,368.00
23	7. Majority and Minority Whip of the House	6,368.00
24	8. Members of the Joint Finance Committee	7,865.00
25	9. Chairperson & Vice Chairperson of the Capital Improvement	
26	Program Committee	3,740.00
27	10. Members of the Capital Improvement Program Committee	3,147.00

1	11. Chairperson & Vice Chairperson of the Joint Sunset Committee	3,740.00
2	12. Members of the Joint Sunset Committee	3,147.00

3           A member of the General Assembly shall be entitled to receive the higher of any one of the above  
4 stipends and receive one-half of the amount of a second stipend of an equal or lesser amount. Eligible  
5 recipients of a second stipend may choose not to accept such additional stipend. The stipend(s) included  
6 herein shall commence immediately when such member is elected or appointed to such position(s).  
7 Payments to such members shall be as described in Title 29, Chapter 27, Section 2712 of the Delaware  
8 Code 29 Del. C. § 2712."

9  
10           Section 11. Salaries and wage rates for state employees who are not covered by the provisions of  
11 14 Del. C. c. 13, or by the Merit System, excluding employees of the General Assembly - House or the  
12 General Assembly - Senate, Uniformed State Police, all full-time and regular part-time non-Merit  
13 Telecommunications Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
14 Supervisors, Telecommunications Central Control Specialists, Senior Telecommunications Central  
15 Control Specialists and Telecommunications Central Control Shift Supervisors employed in the  
16 Communications Section of the Department of Public Safety, Delaware State Police, employees of the  
17 University of Delaware, employees of Delaware State University, employees of Delaware Technical and  
18 Community College who are paid on the Administrative Salary Plan or Faculty Plan, Plans D and A  
19 respectively, Executive Director of Educational Technology Center, members and employees of the  
20 Delaware National Guard and employees whose salaries are governed by Section 10 of this Act, shall  
21 have the following:

22           (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
23 appropriated by the State to employees with similar training and experience who serve in similar positions  
24 in the Merit System. In the event that there are no similar positions in the Merit System, the State  
25 Personnel Director shall establish an exempt position classification only for the purpose of assigning a  
26 salary or wage rate to said position. On or before August 15, 2001, the State Personnel Director shall  
27 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each

1 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall  
2 show the statutory citation which authorizes the establishment of the exempt position(s). The State  
3 Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and  
4 the Controller General. No exempt employee shall be hired until an approved comparability has been  
5 assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or  
6 vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted  
7 under Delaware Law shall become effective unless approved by the State Budget Director, State  
8 Personnel Director and the Controller General. In order to permit the development of the comparability  
9 list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions  
10 and position classification questionnaires describing the duties and responsibilities of each of the  
11 positions. The certification of comparability by the State Personnel Director shall not be withheld  
12 unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class  
13 and/or paygrade in the Merit System shall be paid in accordance with Sections 8(c) and (d) of this Act and  
14 Merit System Rules 13.0110 and 5.0900 through 5.0931; no other salary increases shall be given to such  
15 employees unless specifically authorized in this Act.

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

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

22 (d) Merit Rules 5.0900 through 5.0931 and the applicable appeal rights provided in 29 Del. C. §  
23 5915, shall apply retroactively to any employee who was an incumbent in a merit comparable position  
24 that was reviewed for class/paygrade comparability with an effective date of July 1, 1990 or July 1, 1991.

25

26 Section 12. Any employee eligible for termination pay, whose regular pay was from special funds,  
27 shall have termination pay paid from special funds. If the employee's regular pay is from both General

1 Funds and special funds, termination pay shall be on a pro rata basis. The intent of this Section is that if  
2 any school district charges their local share to Division III - Equalization Funds, that for termination pay  
3 purposes only, these funds are considered special funds. Exceptions to this method of payment must have  
4 the approval of the Budget Director and the Controller General. All agencies shall absorb termination pay  
5 within the appropriations set forth in Section 1 of this Act.

6  
7 Section 13. All agencies or schools receiving federal funds subject to the federal Single Audit  
8 Act shall:

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

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

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

20  
21 Section 15. No agency shall engage a consultant or authorize expenditure of any General or  
22 special funds for the purpose of studying personnel policies and/or the wage and salary classification of  
23 employees without the written authorization of the Personnel Director, the Budget Director and the  
24 concurrence of the Controller General.

25  
26 Section 16. All state agencies are directed to remit payment for services rendered by the  
27 Department of Administrative Services, Support Operations (Mail/Courier Services, Telephone Services,

1 Printing and Publishing and Fleet Management) within 30 days after receipt of invoice. Services may  
2 include postal metering, paper supplies, facsimile, printing, telephone, photocopiers, vehicle rental,  
3 Carvel Building parking, and vehicle fuels.

4  
5 Section 17. All outside graphics and printing services for state agencies shall be obtained from  
6 Department of Administrative Services, Support Operations or, if appropriate, the Director of Support  
7 Operations may award a contract in accordance with 29 Del. C. c. 69.

8  
9 Section 18. If a timely payment problem exists, the Department of Administrative Services may  
10 require all agencies and school districts paying telephone system payments through the department to  
11 make monthly estimated payments toward their telephone bills. The estimated payment is due within five  
12 working days of the beginning of each month. The estimated payment should equal the average of the  
13 last three months of actual reconciled payments; or payments based on a schedule established by the  
14 department. The department will continue to be responsible for the actual payments to the telephone  
15 companies and the reconciliation of accounts with the user agencies and school districts.

16  
17 Section 19. With the exception of the custodial work associated with Legislative Hall and the  
18 Governor's Office, the Department of Administrative Services may not hire any permanent, full-time  
19 custodial employees in any fiscal year without the approval of the Budget Director and the Controller  
20 General.

21  
22 Section 20. It is hereby directed that the Indirect Cost Recovery Program, Office of the Budget,  
23 may recover indirect costs from non-federal special funded regulatory and service agencies. Costs that are  
24 allocated to a state agency under this authority shall be billed to the state agency, and the cost is payable to  
25 the General Fund of the State. The source of payment for the billed indirect cost shall be any revenue  
26 source except the General Fund. If the billed agency is authorized to bill and recover direct expenses, the  
27 agency shall recover indirect costs in the same manner. The effort initiated in Fiscal Year 1993 covering

1 State Banking Commission, Professional Regulation and Public Service Commission shall continue in  
2 Fiscal Year 2002.

3  
4 Section 21. Notwithstanding the provisions of 29 Del. C. § 6340(a), Section 1 of this Act  
5 summarizes salary and wage and other employment costs into a single line entitled Personnel Costs.

6  
7 Section 22. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel  
8 Director, in accordance with the Budget Director and the Controller General, shall have the authority to  
9 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the  
10 mutual benefit of the State as an employer and its affected employees in the Department of Health and  
11 Social Services, the Department of Services for Children Youth and Their Families, the Department of  
12 Correction, and the Department of Transportation. These pilot projects may include employee incentives  
13 which have the impact of reducing overtime usage in these departments, and which are designed to  
14 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment  
15 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the  
16 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a  
17 period of two years duration, subject to renewal on a six month basis, and shall include a written  
18 assessment to the Budget Director and the Controller General of their effectiveness at the end of each  
19 period.

20  
21 Section 23. For Fiscal Year 2002, the provisions of 29 Del. C. § 6502(a), shall be waived for  
22 school districts. In its place, school districts shall be required to provide to the Budget Director and  
23 Controller General a signed copy of its approved district budget for expenditures, including positions to  
24 be funded from all funds, as well as any other information required by the Budget Director (provided the  
25 Budget Director furnishes official blank forms for such data).



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

4  
5           Section 25. All agencies receiving an Energy appropriation in Section 1 of this Act must work  
6 through the Department of Natural Resources and Environmental Control and the Executive Department,  
7 Office of the Budget to attain any contract(s) dealing with the retail wheeling of natural gas or electricity.  
8 This includes agencies 01 through 95 with the exception of the University of Delaware.

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

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

20  
21           Section 26. Members of the Board overseeing the Delaware College Investment Plan may be  
22 reimbursed for mileage expenses incident to their duties.

23  
24           Section 27. Increased use of videophones and related technologies by agencies comprising the  
25 criminal justice system is beginning to have a positive impact on the operations of these agencies. One  
26 such positive impact is the reduction in the number of trips Department of Correction personnel need to  
27 make to transport offenders from the secure facilities in the prisons to the courts for various hearings and

1 other procedural matters. To help quantify these positive impacts, agencies with videophones obtained  
2 through the Videophone Committee of the Criminal Justice Council shall submit to the Budget Director  
3 and Controller General an annual report on their use of their videophone(s). This report shall be  
4 submitted no later than December 1, 2001, and shall contain information such as but not limited to 1) the  
5 number of videophones used; 2) what types of activities the videophone(s) are used for; 3) the number of  
6 times the videophone(s) was used for each activity; 4) any savings or deferred costs resulting from the use  
7 of the videophone(s); 5) any costs directly associated with the use of the videophone(s); and 6) future  
8 plans for the use of the videophone(s).

9  
10 Section 28. The Department of Correction shall submit a report of videophone usage to the  
11 Budget Director, Controller General and members of the Joint Finance Committee annually by  
12 December 1. This report shall include a detailed description of the actual savings, deferred costs and  
13 previously anticipated savings and deferrals that were not realized.

14  
15 Section 29. Amend the Classified Service Merit Rule No. 5.1453 to reflect the rate of pay per  
16 month for Level A to be \$160, effective January 1, 2002.

17  
18 Section 30. Notwithstanding any other provision of the Delaware Code or this Act to the  
19 contrary, the Office of the Budget, subject to the approval of the Controller General, is authorized to make  
20 technical adjustments to the personnel complement of any agency as appropriated in Section 1 of this Act  
21 in those situations where, due to the rounding of split-funded positions, such an adjustment is necessary  
22 so that an agency may establish its authorized complement.

23  
24 Section 31. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel  
25 Director in accordance with the Budget Director and the Controller General shall have the authority to  
26 approve statewide pilot projects including compensation for the purpose of attracting and retaining  
27 information technology personnel to State government. These pilot projects shall include, but are not

1 limited to: the development of a competency based pay structure for information technology personnel,  
2 job rotation opportunities across various agencies, the development of technology resource groups,  
3 training opportunities and coordinating with the University of Delaware, Delaware State University and  
4 the Delaware Technical and Community College to develop formal cooperative education programs in  
5 information technology.

6  
7 Section 32. For Fiscal Year 2002, Merit Rule 5.0711 shall be amended to authorize the  
8 appointing authority to approve a starting rate or promotional rate up to 85 percent of midpoint where the  
9 applicant's qualifications are clearly over and above those required by the minimum for the class  
10 specification.

11  
12 Section 33. Pursuant to Merit Rules 5.0711 and 5.0712, an agency that requests approval of a  
13 starting rate higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the  
14 advanced salary of newly hired employee shall provide documentation that sufficient funds exist within  
15 the agency's base budget to fund such actions. An agency that requests approval of a starting rate higher  
16 than 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request  
17 to level up the salary of existing employees, and shall indicate if sufficient funds exist within the agency's  
18 base budget to fund such a leveling up action.

19  
20 Section 34. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax  
21 basis. Employees who have currently designated employee deductions on a post-tax basis shall continue  
22 to have those deductions on a post-tax basis as long as the employee remains in a benefit program or the  
23 employee makes a change to pre-tax employee benefit deductions.

24  
25 Section 35. In an effort to reduce the financial impact of worker's compensation and property  
26 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to  
27 implement safety and return to work policies. Any employee who has been on Worker's Compensation

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

4  
5 Section 36. Notwithstanding Chapter 2.0 and Chapter 12.0 of the Merit Rules, upon approval by  
6 the Budget Director, Controller General and the State Personnel Director, temporary appointees may be  
7 assigned to the same position as that already assigned to a permanent employee in order to complete a  
8 special project.

9  
10 Section 37. Due to the anticipated implementation of the PHRST processes for payroll  
11 administration effective with the payroll to be paid on July 27, 2001, and in order to ensure a secure  
12 payroll data/system environment for the period of July 1, 2001, through October 7, 2001, the Budget  
13 Office and the Department of Finance shall have the authority during the aforementioned period to (1)  
14 control organization, funding and position changes and transfers reflected in this Act, and (2) load the  
15 State central accounting system, in such structure as deemed necessary, the Personnel Cost line amounts,  
16 or personnel cost object amount(s) of any special line, or any appropriation line identified in Section 1 of  
17 this Act. The Budget Office shall provide a list of such changes to the Controller General.

18  
19 Section 38. Any State of Delaware employee's benefits that were terminated as a result of  
20 ineligibility due to a change in their job status or reduction in standard hours will have the required  
21 premiums forgiven. This will only apply to employees found to be in this status as part of the PHRST  
22 implementation as of July 14, 2001.

23  
24 Section 39. (a) For the fiscal year ending June 30, 2001 any sums in the following accounts shall  
25 remain as continuing appropriations and shall not be subject to a reversion until June 30, 2002.

1	<b>Fiscal Year</b>	<b>Account</b>	
2	<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	<b><u>Remarks</u></b>
3	2000/2001	(01-05-01-01-40)	Travel
4	2001	(01-05-01-01-41)	Legislative Travel
5	1999/00/01	(01-05-01-01-50)	Contractual
6	2001	(01-05-01-01-60)	Supplies
7	1998/99	(01-05-01-01-85)	Delegation Expense
8	2001	(01-08-01-01-85)	TriCent Committee
9	2001	(01-08-01-01-98)	One-Time
10	2001	(01-08-02-01-40)	Travel
11	2001	(01-08-02-01-50)	Contractual
12	2000/2001	(01-08-02-01-60)	Supplies
13	2001	(01-08-02-01-70)	Capital
14	1997/98/99	(01-08-02-01-80)	Senior Center Reporting
15	2001	(01-08-02-01-81)	Contingency - Legislative
16	2001	(01-08-02-01-82)	Family Law Commission
17	1998/2001	(01-08-02-01-85)	Formula Update
18	1998/99/00/01	(01-08-02-01-86)	Juvenile Detention Oversight Committee
19	1996	(01-08-02-01-87)	Contingency – Legal
20	2001	(01-08-02-01-90)	Neighborhood Schools
21	2001	(01-08-02-01-91)	Clean Air
22	2001	(01-08-02-01-92)	Redistricting
23	2001	(01-08-02-01-97)	Contingency - Intern
24	1999/01	(01-08-02-01-98)	One-Time
25	2001	(02-06-10-01-95)	First State Quality Improvement Fund
26	2001	(02-06-10-01-98)	One-Time Items
27	2001	(02-08-10-01-95)	First State Quality Improvement Fund

1	2001	(02-13-10-01-95)	First State Quality Improvement Fund
2	1998	(02-17-04-01-80)	Computer Project
3	1998	(02-17-04-01-85)	Development Fund
4	1997	(02-17-04-01-97)	Technology Initiatives
5	2001	(02-17-04-01-98)	One-Time Items
6	1999	(02-17-04-01-98)	Flexible Technology Development Fund
7	1994	(02-17-04-01-98)	One-Time Item (Civil CMS)
8	2001	(10-01-01-01-98)	One-Time
9	1998/00	(10-02-01-01-97)	PHRST
10	1997/99/00/01	(10-02-01-01-82)	Computer One-Time
11	1999/00/01	(10-02-01-01-85)	Data Development
12	2000/01	(10-02-01-01-91)	Budget Automation
13	1998	(10-02-01-01-98)	One-Time (Automated Release Date Project)
14	2000	(10-02-01-01-99)	Technology
15	1997	(10-02-01-02-01)	Infrastructure
16	2000/01	(10-02-01-02-02)	Evaluation Project
17	1997/99/00/01	(10-02-04-01-85)	Legal Fees
18	2000/01	(10-02-04-01-89)	Salary/OEC
19	1996	(10-02-04-01-93)	Crime Bill Match
20	2000	(10-02-04-01-99)	Technology Initiative
21	2001	(10-02-04-02-49)	H.S. Football
22	2001	(10-02-06-01-96)	Contingency Fund
23	1999	(10-02-08-01-98)	One-Time (SAC)
24	2001	(10-02-08-01-98)	SENTAC Study
25	2000/01	(10-03-01-01-87)	Welfare Reform
26	2001	(10-03-01-01-88)	Workplace Literacy

1	2000	(10-03-02-01-98)	One-Time Items
2	2001	(10-04-02-01-81)	Employee Recognition
3	2000/01	(10-04-02-01-87)	School-to-Work
4	2001	(10-04-04-01-99)	First Quality Fund
5	2001	(10-04-05-01-50)	Contractual Services
6	2001	(10-04-05-01-83)	Self Insurance
7	1995/97	(10-05-01-01-80)	Pilot Programs
8	1999/00	(10-05-02-01-80)	Operations
9	2001	(10-05-02-01-80)	Operations
10	2001	(10-05-03-09-85)	DIDER
11	1999	(10-07-02-01-97)	DELJIS Standards
12	1997	(10-09-01-01-99)	Technology Initiative
13	1996	(10-09-40-01-98)	One-Time – LIS
14	2001	(10-09-90-01-97)	Data Development
15	2001	(12-02-01-01-98)	One-Time
16	2001	(12-03-01-01-98)	First Quality
17	2001	(15-01-01-01-50)	Contractual Services
18	2001	(15-02-01-01-98)	One-Time Items
19	1998	(20-03-01-01-80)	Historic Markers
20	2001	(20-03-01-01-81)	Document Conservation
21	2001	(20-03-01-01-82)	Historical Markers
22	1997/99/00/01	(20-03-01-01-98)	One-Time
23	1999/00	(20-06-01-01-98)	Oral Histories
24	2001	(20-06-04-01-84)	Museum Operations

1	2001	(20-07-01-01-82)	Arts Grants
2	2000/01	(20-08-01-01-80)	Library Standards
3	2001	(20-08-01-01-81)	Delaware Electronic Library
4	2001	(20-08-01-01-86)	DELNET
5	1999	(25-05-01-01-99)	Technology
6	1998	(30-01-40-01-98)	One-Time
7	1998	(30-04-50-01-98)	One-Time
8	1999	(30-05-10-01-95)	Asbestos/UST
9	2001	(30-05-10-01-98)	One-Time
10	2000	(35-01-20-01-84)	Nursing Home
11	2001	(35-01-20-01-87)	Background Checks
12	2001	(35-01-20-01-97)	Development
13	2001	(35-05-20-01-80)	School Based Health Clinics
14	2001	(35-05-20-01-82)	Immunizations
15	2001	(35-05-20-01-83)	Hepatitis B
16	2001	(35-05-20-01-98)	Radiation Program One-Time
17	2000	(35-06-10-01-81)	First Quality
18	1996	(35-06-10-01-98)	Managed Care One-Times
19	2000	(35-07-01-01-97)	Medicaid Management Information System
20	2001	(35-07-01-01-98)	Staff Development One-Time
21	1997	(35-07-01-01-99)	DCIS
22	2001	(35-11-30-01-82)	Stockley Transition
23	2001	(35-12-10-01-99)	First Quality
24	2001	(35-14-01-01-84)	TBI
25	2000	(37-01-10-01-84)	Home Visiting



1	2001	(37-01-20-01-98)	One-Time
2	2001	(37-01-50-01-81)	MIS Development
3	1995	(37-05-50-01-98)	Ferris Retraining
4	2000	(38-01-01-01-82)	Education Enhancement
5	2000	(38-01-10-01-82)	DACS
6	2001	(38-01-10-01-86)	Warehouse
7	2001	(38-01-10-01-99)	MIS/Technology
8	2001	(38-01-20-01-98)	One-Time
9	2001	(38-01-30-01-80)	Medical Services
10	2001	(38-01-31-01-80)	Substance Abuse Treatment
11	1999/00/01	(38-01-40-01-99)	Maintenance and Restoration
12	2001	(38-04-01-01-82)	Drug Testing
13	2001	(38-06-02-01-98)	One-Time
14	2001	(40-01-01-01-80)	Magazine
15	2001	(40-01-01-01-88)	CZM Administration
16	2000	(40-01-01-01-96)	Development Fund Project
17	1999/00/01	(40-01-01-01-97)	MCI/Equipment
18	1999	(40-01-01-01-98)	Technology
19	2001	(40-05-04-01-98)	One-Time
20	2001	(40-06-04-01-80)	State Park Partnership
21	2000/01	(40-08-01-01-80)	Delaware Estuary
22	2001	(40-08-02-01-97)	First State Quality Fund
23	2000	(40-08-02-01-98)	One-Time (LIMS Project)
24	1998	(40-08-05-01-97)	Permitting Project
25	2000/01	(40-08-07-01-81)	Whole Basin TMDL
26	2001	(40-09-03-01-82)	Debris Disposal

1	2001	(40-09-03-01-83)	Recycle Commission
2	2001	(40-09-03-01-84)	Quality Improvement
3	2001	(45-01-01-01-82)	ITC
4	2001	(45-01-01-01-86)	Real Time Crime
5	2001	(45-01-01-01-87)	OABCC
6	1986	(45-01-01-03-81)	Hazardous Waste Revolving Fund
7	2001	(45-01-30-01-98)	Assistance Relief Fund
8	2000/01	(45-01-30-02-00)	LEPC Expenses
9	2001	(45-02-10-01-98)	One-Time
10	2001	(45-04-10-01-86)	Tobacco Enforcement
11	2000	(45-04-10-01-97)	One-Time – Advert. and Database Replacement
12			Study
13	1995	(45-07-01-01-99)	Anti-Theft Project
14	2001	(60-08-10-01-90)	First Quality
15	2001	(60-09-20-01-87)	Welfare Reform
16	2001	(60-09-20-01-88)	Skill Grant
17	2000	(65-01-02-01-98)	One-Time
18	2001	(65-01-12-01-81)	Nutrient Management Contingency
19	2001	(65-01-12-01-82)	Education – Certification
20	2000	(70-01-01-01-98)	Voter Education Initiative
21	2001	(70-01-01-02-00)	Reapportionment
22	2001	(70-02-01-02-00)	Reapportionment/Address Verification
23	2001	(70-03-01-02-00)	Reapportionment
24	1997	(70-04-01-01-98)	One-Time
25	2001	(70-04-01-02-00)	Reapportionment

1	2001	(75-01-01-01-98)	One-Time
2	1998	(75-01-01-01-98)	Staff Computer Training
3	2000	(75-02-01-01-97)	Student Records System
4	2001	(75-02-01-01-98)	One-Time
5	2000/01	(75-03-01-01-98)	One-Time
6	2000	(75-03-01-09-76)	GIA Section 2
7	2000	(76-01-01-01-69)	MCI-DNG
8	2001	(90-07-01-01-82)	Tuition Assistance
9	2001	(95-01-01-01-89)	State Board of Education
10	2000/01	(95-01-01-01-93)	Building Improvement
11	2001	(95-01-01-01-94)	Educator Certification and Development
12	2001	(95-01-01-01-98)	One-Time
13	2000/01	(95-01-01-02-00)	Standards and Assessment
14	2001	(95-01-01-02-02)	Delaware Student Testing Program
15	2001	(95-01-01-02-03)	Pupil Accounting
16	2001	(95-01-01-02-06)	Americorps Kickstart Program
17	1999/2001	(95-01-01-02-08)	Family Involvement
18	2001	(95-01-01-02-12)	Professional Standards Board
19	2000	(95-01-01-02-27)	Off Grade/EOS Testing
20	2001	(95-01-01-02-27)	Off Grade Assessment
21	2001	(95-01-01-02-28)	Retest/EOS/AI
22	2001	(95-02-02-02-02)	Educator Accountability
23	2000/01	(95-03-10-01-91)	Professional Development
24	2001	(95-03-15-01-27)	Smithsonian Project
25	2001	(95-03-15-01-31)	Early Education Center
26	2001	(95-03-20-01-27)	Student Discipline Program

1	2001	(95-03-20-01-53)	3-5 Program
2	2001	(95-03-20-01-82)	Early Childhood Assistance
3	1999	(95-03-20-01-98)	One-Time
4	2001	(95-04-01-01-90)	Public School Transportation
5	2001	(95-07-01-01-80)	Operations
6	2001	(95-08-01-01-83)	Scholarship
7	1998	(95-08-01-01-84)	DHEC
8	2000	(95-08-01-01-85)	Ferguson DSTP Scholarship
9	2000/01	(95-08-01-01-88)	Physician Loan
10	1997	(95-08-01-09-75)	GIA Section 1
11	1998	(95-08-01-09-77)	GIA Tuition
12	1994	(95-13-00-01-48)	Teacher in Space
13	2001	(95-17-00-02-02)	Discipline
14	2001	(95-23-00-02-02)	Discipline
15	2001	(95-33-00-02-02)	Discipline

16

17 (b) For Fiscal Year ending June 30, 2001, any sums in Fiscal Year 2001 appropriations 0201  
18 (Discipline Part II) and 0233 (LEP) for Public Education shall remain as continuing and not be subject to  
19 reversion until September 30, 2001. Program expenses may not be incurred subsequent to the start of the  
20 regular 2001-2002 school year.

21 (c) Funds appropriated for the following programs shall be appropriated on a 15 month basis and  
22 not be subject to reversion until September 30, 2002: Student Mentoring (appropriation 0207), Discipline  
23 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development  
24 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional  
25 Cadre (appropriation 0206), and Extra Time for Students (appropriations 0203 and 0204). Program  
26 expenses may not be incurred subsequent to the start of the regular 2002-2003 school year.

1           (d) 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           (e) 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.

# TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 40. (a) Section 1 of this Act includes Appropriated Special Funds of \$20,366.1 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

(10-05-01) Health Care Commission

\$1,000.0	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

\$ 131.2	2.0 ASF FTE's - legal matters relating to tobacco laws & regulations
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(30-05-10) Administrative Services - Facilities Management

\$3,850.0	DHSS – Minor Capital Improvements
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(35-05-20) Health & Social Services – Community Health

\$ 55.0	Chronic Disease Program;
4,607.0	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;
150.0	Acquisition of instruments and software for TB and metabolic disorders;
40.0	Delaware Breast Cancer Collation

(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 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered
- 2 shall be transferred back to the Cash Management Policy Board and reinvested.
- 3



# LEGISLATIVE

1  
2       Section 41. Of the total positions authorized in Section 1 of this Act for the Division of Research  
3 (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall  
4 be an exempt position and shall report to the Director.

5  
6       Section 42. Section 1 of this Act provides an appropriation to the Office of the Controller General  
7 (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative  
8 Committees for professional staff assistance shall be submitted to the Legislative Council for approval or  
9 disapproval. Approvals for professional staff assistance shall be allowed within the limits of the  
10 appropriation and as provided by guidelines established by the Legislative Council.

11  
12       Section 43. Section 1 of this Act provides an appropriation to the Office of the Controller  
13 General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and  
14 committees of either the House of Representatives or the Senate for travel expenses, meeting expenses,  
15 contractual services and any other expenses shall be submitted to the Legislative Council for  
16 consideration.

17  
18       Section 44. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet  
19 position as determined by the Compensation Commission. Such compensation may be adjusted by the  
20 Legislative Council as defined in Title 29, Section 1110 (e), Delaware Code.

21  
22       Section 45. Section 1 of this Act makes an appropriation to the Office of the Controller General  
23 (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be  
24 approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising  
25 from planning for and implementation of neighborhood schools.

# JUDICIAL

Section 46. 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 47. 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 48. This Act appropriates \$462.3 ASF in Personnel Costs and 21.0 ASF FTEs, \$6.3 ASF in Travel, \$42.2 ASF in Contractual Services, \$22.8 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

1 Register in Chancery office. Adjustments to the Appropriated Special Fund spending authority for the  
2 Court of Chancery may be made upon the concurrence and approval of the Budget Director and  
3 Controller General. The authorization of Appropriated Special Fund funding for a statewide Register in  
4 Chancery office is subject to the enactment of the second leg of a constitutional amendment amending  
5 Sections 22 and 23, Article III, and Article IV of the Delaware Constitution of 1897 relating to the  
6 Register in Chancery and passage of House Bill 226. If this amendment and legislation, or similar  
7 legislation, is not enacted, this authorization shall be rescinded and this section of the Budget Act shall  
8 not be enacted.

9  
10 Section 49. The Staff Attorney and law clerk positions in the Court of Common Pleas (02-06-00)  
11 and the Justices of the Peace Court (02-13-00) shall be exempt positions and shall be excluded from  
12 classified service as defined under 29 Del. C. § 5903.

13  
14 Section 50. Section 1 of this Act appropriates \$154.0 in Personnel Costs and 9.0 positions for  
15 Family Court (02-08-10) to pick up positions funded by three expiring grants; Juvenile Accountability  
16 Incentive Block Grant, Court Improvement Project grant and CASA grant. Upon the expiration of these  
17 grants, the existing 8.9 NSF positions will be converted into GF positions.

18  
19 Section 51. Section 1 of this Act appropriates \$424.8 in Contractual Services to the Office of the  
20 State Court Administrator (02-17-01) for Victim Offender Mediation Programs. The Victim Offender  
21 Mediation Committee will determine which programs are to be awarded funds from this appropriation.

22  
23 Section 52. This Act appropriates \$122.0 ASF in Personnel Costs to the Court of Common Pleas  
24 (02-06-00) for 2.0 ASF FTE Court Clerks and 1.0 ASF FTE for a Fiscal Administrative Officer to help  
25 with the collection of court receivables inherited from the former City of Wilmington Municipal Court.  
26 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a  
27 portion of the fines and fees collected from these receivables in an amount sufficient to cover the

1 personnel costs of these positions. Adjustments to the Appropriated Special Fund spending authority for  
2 the Court of Common Pleas may be made upon the concurrence and approval of the Budget Director and  
3 the Controller General.

4  
5 Section 53. (a) The Delaware judiciary is seeking funding for a comprehensive, integrated case  
6 management system that can serve all of the State's Courts in the functional areas of criminal and civil  
7 case tracking and financial management. The Budget Director, with the concurrence of the Controller  
8 General and the State's Chief Information Officer, may authorize any remaining balances in specified  
9 prior year appropriations, designated as continuing appropriations in this Act, and/or prior year judicial  
10 technology projects, originally appropriated as One-Time Items or Development Fund projects, to be  
11 redirected to this comprehensive, integrated case management system project.

12 (b) No funds shall be redirected to this comprehensive, integrated case management system project until  
13 a formalized plan, approved by the State Court Administrator, has been submitted to the Technology  
14 Investment Council and the Budget Director for their approval. The elements of this plan shall  
15 include:

- 16 i) statement of work to be done;
- 17 ii) existing work to be modified or displaced;
- 18 iii) total costs of systems development and conversion effort, including systems analysis and  
19 programming cost, establishment of master files, testing, documentation, special equipment  
20 costs, including full overhead, savings or additions in positions and operating costs that will  
21 result after development or conversion;
- 22 iv) other advantages or reasons that justify the work;
- 23 v) source of funding for the work and whether or not work is within scope of work envisioned  
24 under this Section;
- 25 vi) estimated costs of such project shall include a three-year projection, i.e., current fiscal year  
26 and two succeeding fiscal years;

1           vii) identification and prioritization of other technology initiatives being undertaken by the  
2                 judicial branch;

3           viii) certification that uniform case processes for the processing of criminal and civil cases in all  
4                 courts are being developed and implemented; and

5           ix) identification of compatibility with other information systems used by the judiciary and other  
6                 criminal justice agencies.

7   (c) No funds redirected under this Section shall be used to purchase or procure hardware or software for  
8         a comprehensive, integrated case management system until a formalized plan is completed and  
9         approved by the Technology Investment Council and the Budget Director. Planning and  
10         development efforts may take no longer than two years from the passage of this Budget Act.

11   (d) Funding may be redirected only from the following appropriations:

12	i) 1994	(02-17-04-01-98)	One-Time Item (Civil CMS)
13	ii) 1999	(02-17-04-01-98)	Flexible Technology Development Fund
14	iii) 1997	(02-17-04)	Case Management
15	iv) 1998	Development Fund	Interface with DSCYF FACTS
16	v) 1998	Development Fund	Financial Management

17   (e) Status reports shall be completed by the Judicial Information Center and provided quarterly to the  
18         Budget Director, Controller General and the State's Chief Information Officer.

19   (f) In the event House Bill 254 or similar legislation should fail to be enacted, all references and  
20         requirements related to the Technology Investment Council in the above sections shall be assumed  
21         and performed by the state's chief information officer with the approval of the Budget Director and  
22         the Controller General.

23

**EXECUTIVE**

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Section 54. (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:

<u>DEPARTMENT / AGENCY</u>	<u>SERVICE NEED</u>
Judicial	
Judicial Information Center	Lifecycle Replacement
Executive	
Office of the Governor	Computer Equipment
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 Director approves a formalized project, he/she shall forward a copy to the Controller General and the

1 Director of the Office of Information Services. Such project will be in the form approved by the Budget  
2 Director, or his/her designee, and shall include:

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

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

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

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

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

5 Section 55. The General Assembly finds that the establishment of the federal Temporary Aid to  
6 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
7 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
8 Account for Children's Services Cost Recovery Program (CSCRCP) Disallowances (10-02-01-80-51), and  
9 any funds which may become available from a one-time federal surplus resulting from the old AFDC  
10 (Title IV-A) and JOBS (Title IV-F) Programs, shall be available to mitigate to the extent possible,  
11 projected deficits in TANF supported programs within Social Services, Department of Health and Social  
12 Services. The use of such funds for such purposes shall require the approval of the Budget Director and  
13 Controller General.

14 For Fiscal Year 2002, \$3,000.0 shall be deposited to the General Fund.  
15

16 Section 56. When a vacancy occurs in the Chief of Planning BP #67429, Office of the Budget  
17 (10-02-01), that position shall be made exempt from the classified service and shall be given a Merit  
18 System comparability in accordance with Section 11 of this Act.  
19

20 Section 57. Section 1 of the Act contains an appropriation in Office of the Budget, Contingencies  
21 and One-Time Items (10-02-04) for Salary Contingency. The Budget Director with the concurrence of  
22 the Controller General is authorized to transfer agency salary funds in order to adjust for salary savings  
23 and the general salary increase contained in Section 8 of this Act.  
24

25 Section 58. The amount appropriated to the Office of the Budget, Contingency and One-Time  
26 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of  
27 fringe benefits, and other obligations except coding errors by a school district which require adjustment of



1 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in  
2 Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the  
3 fiscal year in which the expense was incurred, will require the requesting agency or school district to  
4 reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A line code  
5 reversion sum does not negate the necessity of encumbering sufficient funds to cover known expenses,  
6 proof of circumstances beyond an agency's ability to encumber must be documented on the request for  
7 transfer to be excluded from the reimbursement clause. All requests for prior year funds to complete the  
8 payment of one-time items will require a reimbursement to the Prior Years' Obligations account by the  
9 requesting agency from any appropriation other than personnel costs. The reimbursement can be  
10 removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal  
11 judgments against the agency or school district. A reimbursement under this Section shall not be deemed  
12 to be prohibited by 10 Del. C. § 8111.

13

14 Section 59. For Fiscal Year 2002, 29 Del. C. § 6529 is interpreted to include the ability to  
15 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
16 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
17 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
18 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring  
19 requests shall also require the review and approval of the Controller General prior to filling.

20

21 Section 60. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies  
22 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$24,500.0 shall be used  
23 to make adjustments in the amount of state special fund appropriations in the event additional state special  
24 funds are received which were not previously anticipated. Such adjustments shall be made in accordance  
25 with the approval of the Budget Director and the Controller General.

26

1           Section 61. Section 1 of this Act provides an appropriation to Office of the Budget,  
2 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time  
3 Appropriations in the amount of \$2,030.4 shall be non-recurring expenditure items. The Budget Director  
4 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify  
5 the line item, object code and, for all practical purposes, complete and separate accountability for each  
6 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and  
7 the Controller General approvals. Any one-time appropriation for computer/word processing hardware,  
8 software and telecommunications, which contemplates the development of computer-related systems,  
9 shall be transferred into the line Computer One-Time Projects in Office of the Budget, Administration  
10 (10-02-01). The expenditure of computer or computer related funds shall be subject to the restrictions of  
11 the Development Fund.

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

14           Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items  
15 (10-02-04), are subject to the following terms and conditions:

16	<b>Account</b>		<b>Fiscal Year</b>
17	<b>Codes</b>	<b>Remarks</b>	<b>Appropriation</b>
18	(02-17-01)	New Castle County Courthouse - Training and Moving	\$68.0
19	(02-17-01)	New Castle County Courthouse - Informational/PR Materials	\$30.0
20	(02-18-05)	Furniture and Computer - Kent and Sussex Counties	\$5.0
21			
22	(10-02-01)	Agricultural Research Center	\$155.0
23			
24	(12-01-01)	New Computers	\$3.7
25	(12-02-01)	Travel and Training Related to SAP Accounting System	\$35.4
26			
27	(15-02-01)	Kent County Office Relocation - Moving Costs, Furniture, Rent	\$58.0
28	(15-02-01)	Kent County Office Relocation - T-1 Line, Router, and Datapath Lines	\$13.0
29	(15-02-01)	Gander Hill "6 for 1" Drug treatment program	\$55.0
30			
31	(20-01-03)	Equipment	\$80.0
32	(20-03-01)	Historical Markers	\$52.0
33	(20-03-01)	Hollywood Pavilion Restoration	\$12.0
34	(20-03-01)	Harrington Railroad Restoration	\$5.0
35	(20-06-01)	Reading House Hook-up/Foundation	\$12.5
36	(20-06-04)	Robinson House Feasibility Study	\$10.0

1	(20-08-01)	Woodlawn Library Startup	\$80.0
2			
3	(30-05-10)	Kent County Courthouse - Operational Cost	\$50.0
4			
5	(35-14-01)	Money Mgt. Prog.-Contractual Services	\$10.0
6	(35-14-01)	Money Mgt. Prog.-Supplies & Materials	\$1.0
7	(35-14-01)	Money Mgt. Prog.-Capital Outlay	\$6.0
8			
9	(37-06-40)	Shelter-Based Transition	\$50.0
10	(37-06-40)	Brookmont Farms Transitional Rent	\$6.1
11			
12	(38-04-01)	Security Equipment for Institutions	\$50.0
13	(38-04-03)	Control Room Correctional Officers Radios	\$12.0
14	(38-04-06)	Radios for Correctional Officers	\$16.0
15			
16	(40-05-04)	West Nile Virus	\$150.0
17	(40-05-05)	Animal Control Pilot Program	\$30.0
18	(40-06-02)	Killens Pond - Maintenance/Equipment	\$30.0
19			
20	(45-01-30)	DEMA Emergency Fund	\$33.1
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	(45-06-09)	Replacement for Vests	\$33.3
24	(45-06-09)	Replacement/Retrofit Weapons: Handguns, Shotguns	\$66.6
25	(45-06-10)	Public Address System	\$5.0
26	(45-06-11)	Replacement for Front Seat Barriers for State Police Vehicles	\$12.0
27	(45-06-11)	Ten Police Vehicles	\$203.0
28			
29	(60-01-10)	Fox Valley Annex Lease	\$40.0
30	(60-01-30)	Commission for Women - Marketing	\$15.0
31	(60-01-30)	Commission for Women - Computers and Furniture	\$5.0
32			
33	(65-01-04)	Heavy Duty Pick up for Fire Service at Blackbird State Park	\$32.0
34			
35	(70-02-01)	Voting Machine Parts	\$10.0
36			
37	(76-01-01)	New Recruiting	\$100.0
38			
39	(77-01-01)	Moving Costs	\$1.7
40			
41	(95-01-01)	School Library Resources	\$280.0
42	(95-01-01)	State Board of Education Accountability Survey	\$40.0
43	(95-03-20)	ECAP Relocation Costs	\$20.0
44			

1  
2           Section 62. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,  
3 2002 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the  
4 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so  
5 noted.

6           (i) the first \$625.0 shall be allocated among the following three categories of expense as  
7 provided below: (A) \$350.0 for the general operating expenses of the Delaware Small  
8 Business Development Center, (B) \$125.0 for the general operating expenses of the  
9 economic development trade office in Taiwan and (C) \$150.0 to provide customized  
10 information technology training to small and medium-sized businesses through grants made  
11 by the Workforce Development Section of the Delaware Economic Development Office. The  
12 Director of the Delaware Economic Development Office shall establish and promulgate  
13 regulations governing eligibility for and the administration of the grants for customized  
14 information training referred to above.

15           (ii) the second \$300.0 shall be used to continue the Delaware Business Marketing Program  
16 within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
17 General Assembly that these funds shall be used together with non-state contributions to the  
18 Delaware Business Marketing Program. Non-state contributions may be made in cash, or in-  
19 kind. Non-state cash contributions shall be deposited in a special fund for business marketing  
20 and recruitment purposes only. Non-state in-kind contributions shall be valued at their fair  
21 market value and recorded in records maintained by the Delaware Economic Development  
22 Authority in connection with the Delaware Business Marketing Program. Expenditures of the  
23 program shall be divided between non-state contributions and state funds for any fiscal year's  
24 appropriation such that non-state contributions are not less than fifty percent of total  
25 expenditures. Of the fifty percent non-state contributions, up to twenty-five percent shall be  
26 cash contributions, and up to twenty-five percent shall be in-kind contributions. These funds  
27 shall not be used for hiring full-time employees. On or before April 1, 2002, the Director of

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

5 (iii) any remaining funds shall be used for the purposes of the Delaware Strategic Fund.

6  
7 Section 63. Section 1 of this Act appropriates \$65.0 for Other Items to Delaware Economic  
8 Development Authority (10-03-03). Of this amount, \$15.0 shall be allocated for the Delmarva Advisory  
9 Council.

10  
11 Section 64. The Delaware Economic Development Office, Office of the Director (10-03-01) will  
12 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.  
13 Funding for this grant shall be maintained at current levels.

14  
15 Section 65. Section 1 of this Act includes a General Fund appropriation for Contractual Services  
16 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual  
17 administration for the Neighborhood Assistance Tax Credit Act (SB 248) of the 140<sup>th</sup> General Assembly  
18 through the fiscal year ending June 30, 2002.

19  
20 Section 66. Section 1 of this Act appropriates \$1,818.0 ASF to the Delaware Tourism Office (10-  
21 03-02). Of that amount, \$660.0 shall be allocated to other items as designated in Section 1 of this Act,  
22 and payable by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid  
23 by September 30, 2001, or as otherwise approved by the Budget Director and the Controller General.

24  
25 Section 67. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
26 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$200.0 ASF shall be used to fund a  
27 matching grants program and \$50.0 ASF shall be used for a grant program where no match is required.

1 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
2 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
3 Board shall develop rules and regulations for the application and award of the grants and matching grants.  
4 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by  
5 April 1, 2002, detailing the usage of the funds herein authorized. Said report shall also contain an  
6 assessment of the effectiveness of the programs in increasing tourism throughout the State.

7  
8 Section 68. Section 1 of this Act authorizes \$35.0 ASF within the Delaware Tourism Office for  
9 the National Wrestling Coaches Association Tournament. This is a one-time authorization for  
10 expenditure during Fiscal Year 2002.

11  
12 Section 69. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
13 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
14 Kalmar Nyckel. During the period beginning July 1, 2001, and ending on June 30, 2002, the State of  
15 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
16 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
17 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
18 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
19 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
20 behalf of the State of Delaware and the Riverfront Development Corporation.

21  
22 Section 70. Section 1 of this Act appropriates \$337.7 to the Office of State Personnel, Operations  
23 (10-04-02) for Generic Aides/Handicapped Employees. This appropriation is intended to encourage and  
24 enable qualified mentally and physically handicapped persons to obtain state employment in a State  
25 agency or school district per the provisions of 29 Del. C. § 5924.

1           Section 71. Section 1 of this Act provides authorization for a Staff Development Officer to be  
2 funded with Appropriated Special Funds in the Office of State Personnel, Staff Development and  
3 Training (10-04-04). The position will support statewide training programs for state managers,  
4 supervisors and employees. It is the intent of this Act to support these statewide training programs, in  
5 part, with funds generated from the assessment of charges for courses on agencies participating in certain  
6 classes held by the Office of State Personnel. The Office of State Personnel may set charges for courses  
7 to sustain or create training programs with the funds placed in an Appropriated Special Fund account  
8 established by the Budget Director.

9  
10           Section 72. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-  
11 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall  
12 be Human Resource Officers who will work on personnel issues for the Department of Transportation.  
13 The source of funding for these positions shall be the Department of Transportation, Division of  
14 Administration (55-02-01), and that agency shall reimburse the Office of State Personnel quarterly for all  
15 Personnel Costs and Other Employee Costs associated with these two positions.

16  
17           Section 73. For Fiscal Year 2002, the provisions of 29 Del. C. §5905(b)(1), shall be waived for  
18 any merit exempt employee on the PHRST project who is not covered by Merit Rule 6.0224, and the  
19 State Personnel Director shall have the same authority provided in Merit Rule 6.0224, in unusual  
20 circumstances and upon written request from the appointing authority, to authorize carrying over annual  
21 leave in excess of the maximum amount for PHRST project merit exempt employees.

22  
23           Section 74. For Fiscal Year 2002, the payroll recovery rate for the Deferred Compensation  
24 Program shall be 0.15 per cent. This rate shall be combined with the Fiscal Year 2002 payroll recovery  
25 rate for workers' compensation. An amount equal to fifteen one-hundredths (.0015) of payroll shall be  
26 transferred from the Office of State Personnel to the Office of the Treasurer after each pay cycle is

1 completed. The funds shall be used exclusively for the state match of the Deferred Compensation  
2 Program.

3  
4 Section 75. The State Employees Pension Benefits Review Committee will continue to review  
5 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the  
6 benefit structure of the various state pension systems for the purpose of evaluating current pension plan  
7 benefits and recommending changes.

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

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

15  
16 Section 76. Whenever the annual valuation of the market value of the assets of the Special  
17 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
18 pensions by a factor of at least 20 percent, the Board of Pension Trustees, in its sole discretion, may  
19 transfer the excess over 20 percent or any part of it to the State Employees Pension Fund for the benefit of  
20 that Fund.

21  
22 Section 77. Section 1 of this Act provides funding for a state employee pension rate of 8.67  
23 percent. The components of the rate are 1.35 percent for the pension liability, 4.34 percent for the retiree  
24 health insurance liability, 2.33 percent for the Post-Retirement Benefit Fund and .65 percent to prefund  
25 retiree health insurance costs. The 1991 Early Retirement Option (ERO) accounts for approximately .71  
26 percent of the pension liability and .55 percent of the retiree health insurance liability.



1           Section 78. The Board of Pension Trustees may allocate the pension/health insurance monies  
2 received from the State during any month to ensure that funds are available to pay health insurance  
3 premiums for retirees in each month.  
4

5           Section 79. Section 1 of this Act contains an appropriation for State Police Pension Death  
6 Benefit in (10-02-04) Office of the Budget - Contingencies and One-Time Items. This appropriation is  
7 contingent upon the enactment of legislation during the 141<sup>st</sup> General Assembly providing for an increase  
8 in said death benefit.  
9

10          Section 80. The duties of the State Personnel Director shall include the administration and  
11 management of a statewide human resource information system and upon implementation, serve as the  
12 administrator of all data and processes supported by the system throughout the State, including all  
13 government agencies, school districts, Delaware State University and Delaware Technical and  
14 Community College.  
15

16          Section 81. Amend 29 Del. C. § 5209 by adding the following subsection (g):

17          "(g) The State Employee Benefits Committee shall be authorized to recover costs from any  
18 Delaware authority or commission, the Delaware Stadium Corporation, the Delaware Riverfront  
19 Corporation, any volunteer fire company, any county soil and water conservation district, and any  
20 municipality which elects for its employees to participate in the health care insurance plans provided by  
21 this chapter, based on the number of participating employees. Further, the State Employee Benefits  
22 Committee shall be authorized to recover costs from any non-State organization which is permitted to and  
23 elects to participate in the health care insurance plans provided by this chapter, based on the number of  
24 participating employees. The revenue derived from such cost recovery shall be used exclusively to  
25 support the administration of the State Group Health Insurance Program."  
26

1           Section 82. The Delaware Health Care Commission (10-05-01) is hereby authorized to reimburse  
2 Commission members for mileage associated with Committee responsibilities.

3  
4           Section 83. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of  
5 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental  
6 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental  
7 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

8  
9           Section 84. Of this Act appropriates \$1,832.5 to the Delaware Institute of Medical Education and  
10 Research (10-05-02). This amount shall be allocated as follows:

11           Jefferson Medical College	\$1,000.0
12           Philadelphia School of Osteopathic Medicine	62.5
13           University of Delaware	50.0
14           Medical Center of Delaware	200.0
15           Scholarships/Loans	420.0
16           Loan Repayment	<u>100.0</u>
17	\$1,832.5

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

20           Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial  
21 assistance for students attending Jefferson Medical College and \$20.0 is to be used for students attending  
22 Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for restructuring  
23 the grant/loan program in effect since 1993 into either a scholarship program or a loan program with more  
24 favorable tax consequences than the previous program. Any loan or scholarship program developed by  
25 the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware  
26 Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing  
27 either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a

1 continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be used to  
2 recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware. Recruitment  
3 tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan repayment  
4 programs will be approved by the Delaware Health Care Commission, the Budget Director and the  
5 Controller General.

6 These changes will be effective January 1, 2002. On or before that date, the Delaware Higher  
7 Education Commission (DHEC) and DIMER will develop a plan and establish procedures for phasing in  
8 current DIMER loan participants to achieve fair and equitable treatment for all participants. DHEC will  
9 set and amend interest rates and procedures to effect these changes and to effectively monitor and enforce  
10 the provisions of the program.

11  
12 Section 85. (a) Section 1 of this Act appropriates to the State Housing Authority (the  
13 "Authority") \$7,690.8 for its discretionary operating expenses. Discretionary operating expenses include  
14 personnel costs, travel, contractual services, supplies and materials and other normal business expenses of  
15 the Authority which are not required to be made pursuant to bond resolutions, trust indentures,  
16 agreements with the Federal Department of Housing and Urban Development, or otherwise required by  
17 operating agreements of the Authority.

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

23  
24 Section 86. The Delaware State Housing Authority is hereby authorized to use up to \$325.0 of  
25 the interest income from the Housing Development Fund for the support of administrative functions  
26 associated with that fund.

1           Section 87. Section 1 of this Act appropriates funding for a Senior Secretary in Criminal Justice  
2 Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic  
3 Violence Coordinating Council. This position shall be an exempt position and shall be excluded from  
4 classified service as defined under 29 Del. C. § 5903.

5  
6           Section 88. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the  
7 Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This  
8 position shall be exempt from the Merit System until such time as the current incumbent vacates the  
9 position, at which time the position shall be classified by the Director of State Personnel in accordance  
10 with the Merit System and 29 Del. C. c. 59.

11  
12           Section 89. The Sentencing Accountability Commission (SENTAC) (10-07-01) shall submit a  
13 final report on Level IV drug programs to the Budget Director and the Controller General by March 31,  
14 2002. SENTAC shall submit a final report on Delaware's criminal justice system to the Budget Director  
15 and Controller General by October 31, 2002.

16  
17           Section 90. The Statistical Analysis Center (10-02-08) shall submit an annual project schedule  
18 detailing the staff workload and time allocation by July 15, 2001. This schedule shall be reviewed by the  
19 Criminal Justice Council and approved by the Budget Director and the Controller General. No changes  
20 shall be made to the work schedule without the approval of the Budget Director.

21  
22           Section 91. In an effort to manage the cost/benefit of professional services, the Office of  
23 Information Services is hereby authorized to implement a pilot project to utilize the services of Limited  
24 Term employees in lieu of Contractual Services. Requests, accompanied by an implementation plan  
25 and/or status report, from the Executive Director of the Office of Information Services for transfer of  
26 unexpended Contractual Services to Personnel Costs, for purposes of this pilot within the Office of  
27 Information Services, may be made upon approval of the Budget Director and the Controller General.

1 OIS employees hired as Limited Term under this section shall be hired within the procedures of the Merit  
2 Rules and compensated at rates within salary ranges as specified in the Merit System and Merit  
3 Comparable Salary Schedules.

4  
5 Section 92. Contingent upon the enactment of Senate Bill 215 or similar legislation creating the  
6 Department of Technology and Information, the Department shall be designated as (11-00-00). With the  
7 approval of the Budget Director and the Controller General, the CIO may establish or inactivate divisions,  
8 sections or offices within the Department of Technology and Information (11-00-00) and the Office of  
9 Information Services (10-09-00). The CIO may also, with the approval of the Budget Director and the  
10 Controller General, transfer any general funds, appropriated special funds, and associated spending  
11 authority from the Office of Information Services (10-09-00) to the Department of Technology (11-00-  
12 00).

13  
14 Section 93. Section 1 of this Act makes an appropriation to the Office of Information Services -  
15 Administration (10-09-01) of \$250.0 for Contractual Services. This funding is contingent upon passage  
16 of SB 215 or similar legislation during the 141<sup>st</sup> Session of the General Assembly. Should such  
17 legislation not be enacted, this appropriation shall be transferred to the State Budget Office -  
18 Contingencies & One-Times (10-02-04) for Salary Contingencies.

19

## OTHER ELECTIVE OFFICES

1  
2        Section 94. The Auditor of Accounts (12-02-01) is hereby directed to audit the state-funded  
3 portion of the finances of the University of Delaware as authorized by 14 Del. C. § 5109. The contractor  
4 conducting the audit shall be selected jointly by the University of Delaware and the State Auditor.

5  
6        Section 95. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts  
7 (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

8  
9        Section 96. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-  
10 match funding for federally-mandated audit services. If, during the first three months of any fiscal year,  
11 the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the  
12 Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from  
13 the Indirect Cost Account.

14  
15        Section 97. Section 1 of this Act provides the ASF appropriation for the Fraud Unit within the  
16 Insurance Commissioner, Regulatory Activities (12-03-01). Merit positions hired for this unit may not be  
17 hired above 85 percent of the mid-point of the position's paygrade without permission of the Office of  
18 State Personnel and the Office of the Budget.

19  
20        Section 98. Section 1 of this Act contains ASF position authorizations and associated  
21 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
22 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
23 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

24  
25        Section 99. Amend 18 Del. C. § 305 by striking subsection (e) in its entirety and substituting in  
26 lieu thereof the following:

1           “(e) The maximum unencumbered balance which shall remain in the Insurance Commissioner  
2 Regulatory Revolving Fund at the end of any fiscal year shall be \$300,000; and any amount in excess  
3 thereof shall cause the Insurance Commissioner to reduce assessments or fees collected in the next fiscal  
4 year by an amount sufficient to reduce the Regulatory Revolving Fund fiscal year-end balance back to or  
5 below \$300,000”.

6  
7           Section 100. The State Treasurer (12-05-00) is authorized to establish and maintain a special  
8 fund (NSF) appropriation to be credited with stale check write-off amounts. Use of this account is limited  
9 to the processing of stale check reissues by the State Treasurer. On June 30 of each fiscal year, the  
10 unexpended stale check write-off balance in excess of \$100.0 shall be credited to the General Fund. If  
11 during a fiscal year, there is an insufficient amount to process reissues, a revenue refund shall be made  
12 from the General Fund to the NSF appropriation.

13  
14           Section 101. Section 1 of this Act provides an ASF appropriation of \$2,010.6 to the State  
15 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,  
16 for the purpose of providing staff support and operational expenses, including payment of fees for  
17 banking services. The \$2,010.6 in interest income on bank deposits shall be coded as special fund  
18 revenue to provide funds for operation of the Cash Management Policy Board.

19  
20           Section 102. Section 1 of this Act authorizes \$358.9 for Expense of Issuing Bonds in State  
21 Treasurer, Debt Management (12-05-03), for payment of expenses relating to the issuance of State long-  
22 term debt. Disbursement from the Expense of Issuing Bonds fund shall not be made without the prior  
23 approval of the State Treasurer and the Secretary of Finance.

24  
25           Section 103. Section 1 of this Act establishes a special fund appropriation entitled Electronic  
26 Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support  
27 the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be

1 coordinated with and approved by the Executive Director of the Office of Information Services and the  
2 Secretary of Finance.

3

4 Section 104. Notwithstanding 29 Del. C. § 6059, the program participants shall pay for all costs,  
5 excluding personnel, associated with the administration of the Deferred Compensation Program.

6



1

2 **LEGAL**

3 Section 105. Section 1 of this Act authorizes an appropriation for Contractual Services for the  
4 Office of Attorney General (15-01-01). Of this amount, \$823.6 shall be used for the purpose of providing  
5 services covering family violence in New Castle County, and \$393.6 shall be used for the purpose of  
6 providing services covering family violence in Kent and Sussex counties.

7

8 Section 106. Section 1 of this Act provides an appropriation of \$618.8 in Appropriated Special  
9 Funds and 12.0 ASF positions to the Office of the Attorney General (15-01-01) to support the Securities  
10 Division. The Attorney General is authorized to collect and use revenues from the fees realized by 29  
11 Del. C. § 2512 and 6 Del. C. c. 73 (Delaware Securities Act). Balances at the end of any fiscal year in  
12 excess of \$100.0 collected from these fees shall be deposited into the General Fund.

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

16

17 Section 107. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the  
18 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

26 (m) One split-funded (.5 NSF FTE and .5 GF FTE) Deputy Attorney General and 1.0 ASF FTE  
27 Deputy Attorney General shall be assigned to the Department of Services for Children, Youth and their

1 Families, Family Services to work on termination of parental rights, pursuit of custody, adoption and  
2 provide other legal advice and appearances related to the work done by this Division;

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

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

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

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

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

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

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

26 (u) Section 1 of this Act appropriates two ASF positions (one Deputy Attorney General IV and  
27 one Paralegal) relating to the tobacco settlement; in an effort to supplement and enhance the on-going

1 aggressive enforcement efforts by the Attorney General's Office of Delaware's Tobacco laws pertaining  
2 to youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss of  
3 settlement dollars; and

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

7  
8 Section 108. Section 1 of this Act makes an appropriation of \$15.0 to the Office of the Attorney  
9 General (15-01-01) in Appropriated Special Funds to establish an Attorney General Opinion Fund. The  
10 Office of the Attorney General is authorized to publish and sell the opinions of the Attorney General; to  
11 deposit the proceeds of any sales in a special fund to be designated "Attorney General Opinion Fund";  
12 and to expend all monies deposited in such fund for any expense connected with the publishing or sale of  
13 opinions of the Attorney General. Copies of the published opinions will be distributed at no cost to the  
14 General Assembly, the Governor and state agencies. If at the end of the fiscal year, the amount deposited  
15 in this fund exceeds \$15.0, the amount exceeding \$15.0 shall be deposited into the General Fund.

16  
17 Section 109. Section 1 of this Act makes an appropriation of \$1,031.8 ASF, \$400.0 GF and 22.0  
18 positions, split-funded 66 percent ASF and 34 percent General Funds to the Office of the Attorney  
19 General to support the Child Support Enforcement function. The Child Support Enforcement function in  
20 the Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial  
21 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social  
22 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the  
23 reimbursement rate for indirect costs will be 25 percent of federal dollars spent on direct salary costs.

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

1           The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the  
2 departmental portion of indirect cost recoveries for this function to support the agency's overhead and  
3 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost  
4 recoveries will be deposited to the indirect cost account in the Budget Office. The remainder of the  
5 indirect cost recoveries and any unused portion of indirect cost funds in the Attorney General's Office will  
6 be deposited into a separate account in the Office of the Treasurer, to be established by the Budget Office,  
7 and retained to be used to support the General Fund portion of the budget for this function in subsequent  
8 years.

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

12  
13           Section 110. Notwithstanding any other laws to the contrary, including, but not limited to, 29  
14 Del. C. Part VI, the Attorney General is authorized to enter into a contract for the production, distribution  
15 and marketing of the video entitled "Crossing the Line" on such terms and conditions as the Attorney  
16 General deems appropriate. All revenues received by the Attorney General from such contract shall be  
17 deposited in a Non-Appropriated Special Fund. Revenues received and deposited into such NSF account  
18 shall be used for the purpose of reproducing, marketing, and distributing copies of this film.

19  
20           Section 111. Section 1 of this Act appropriates funding in Personnel Costs to the Office of the  
21 Attorney General (15-01-01) to be used to pay for the salary matrix in the Department of Justice as  
22 approved by the Joint Finance Committee, notwithstanding Chapters 5.000 and 6.000 of the Merit Rules.  
23 This salary matrix is intended to maintain the salaries of Deputy Attorneys General at competitive rates.  
24 A committee consisting of the Attorney General, the State Personnel Director, the Budget Director and  
25 the Controller General will bi-annually review the Department of Justice Salary Plan.

26

1           Section 112. Section 1 of this Act appropriates \$228.5 in Personnel Costs and 7.0 GF positions to  
2 the Office of the Attorney General (15-01-01) for positions funded by two expiring grants: Juvenile  
3 Accountability Incentive Block Grant (JAIBG) and Victims Of Crime Act (VOCA) grant. These  
4 positions are responsible for prosecuting serious juvenile offenders, assisting elderly and disabled victims  
5 of financial exploitation and abuse, and providing prosecution-based services to victims of violent crimes.  
6 Upon expiration of these grants, the existing 7.0 NSF positions will be converted into General Fund  
7 positions.

8  
9           Section 113. (a) Section 1 of this Act appropriates 3.0 NSF FTEs to Legal, Office of the  
10 Attorney General (15-01-01) and 2.0 NSF FTEs to Legal, Public Defender (15-02-01) for the purpose of  
11 staffing the Pilot Program to Improve Disposition Times in a Justice of the Peace Court. These positions  
12 are federally funded through the Edward Byrne Memorial State and Local Law Enforcement Assistance  
13 program. This pilot program, which is to be located in JP Court 20 in Wilmington, shall be limited to one  
14 year and shall use only those resources mentioned in this section. The pilot program shall not be  
15 continued without an evaluation and subsequent approval of the Delaware State Clearinghouse  
16 Committee, nor shall this pilot program be expanded beyond JP Court 20 without the passage of enabling  
17 legislation to that effect.

18           (b) The Attorney General, Public Defender and Chief Magistrate shall submit performance  
19 measures for this pilot program to the Budget Director and Controller General. This pilot program shall  
20 not be implemented without the approval of the performance measures by the Budget Director and  
21 Controller General.

22  
23           Section 114. Section 1 of this Act appropriates \$239.5 in Personnel Costs and 8.0 positions to the  
24 Public Defender (15-02-01) for positions funded by the expiring Juvenile Accountability Incentive Block  
25 Grant (JAIBG). These positions are responsible for expediting the case processing for serious juvenile  
26 offenders and providing comprehensive psycho-forensic evaluations of these offenders so they can be

1 placed in more appropriate treatment alternatives. Upon expiration of this grant, the existing 8.0 NSF  
2 positions will be converted to General Fund positions.

3  
4 Section 115. Section 1 of this Act appropriates funding in Personnel Costs to the Public Defender  
5 (15-02-00) to be used to pay for the salary matrix in the Office of the Public Defender as approved by the  
6 Joint Finance Committee, notwithstanding Chapters 5.000 and 6.000 of the Merit Rules. This salary  
7 matrix is intended to maintain the salaries of the assistant Public Defenders at competitive rates.  
8 Assistant Public Defenders who were eligible for a salary increase greater than 15 percent in Fiscal Year  
9 2001 shall be provided with the additional increase during Fiscal Year 2002. A committee consisting of  
10 the Public Defender, the State Personnel Director, the Budget Director and the Controller General will bi-  
11 annually review the Public Defender Salary Matrix.

12  
13 Section 116. A one-time item of \$55.0 was appropriated to Legal, Public Defender's Office (15-  
14 02-01) for the purpose of contractually hiring an individual and to pay for associated expenses to plan the  
15 initialization of the "6 for 1" drug treatment program. This drug treatment program is to be located at the  
16 Multi-Purpose Criminal Justice Facility effective July 1, 2002.

# STATE

1  
2       Section 117. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker  
3 Maintenance-to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0  
4 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

5  
6       Section 118. Section 1 of this Act provides an appropriation to the Department of State, Office of  
7 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that  
8 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

9  
10       Section 119. Section 1 of this Act establishes a special fund appropriation entitled Technology  
11 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 69  
12 Del. Laws, c. 52, will be deposited into this fund to be used for technological and infrastructure  
13 enhancements, ongoing maintenance, operational expenses for Corporations, and electronic commerce  
14 and library initiatives. Quarterly reports regarding the status of this fund shall be made by the Department  
15 of State to the Budget Director and the Controller General.

16  
17       Section 120. Amend 29 Del. C. § 2311 by striking subsection (e) in its entirety and substituting  
18 in lieu thereof the following:

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

25  
26       Section 121. Section 1 of this Act provides an appropriation to the Department of State,  
27 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  
4 Section 122. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage  
5 Commission (20-06-01) shall be exempt from the Merit System.

6  
7 Section 123. The Delaware Heritage Commission shall investigate which out of print books and  
8 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
9 Commission shall investigate what writings in these categories would be valuable for republication. A  
10 report shall be made to the Controller General and Budget Director by December 1, 2001.

11  
12 Section 124. Section 1 of this Act includes an appropriation to the Department of State, Division  
13 of Historical & Cultural Affairs, Delaware State Historic Preservation Office (20-06-03) for Personnel  
14 Costs. Of that amount \$49.7 and 2.0 GF positions shall be used to fund legislation concerning the  
15 Historic Preservation Tax Credit Program. Should this or similar legislation not be signed into law, these  
16 funds and related positions will revert on June 30, 2002.

17  
18 Section 125. Section 1 of this Act provides a special fund appropriation to the Department of  
19 State, Historical and Cultural Affairs for conference center operations. The department is hereby  
20 authorized to retain revenue received from land and building rentals at Buena Vista, Belmont Hall, Dayett  
21 Mills, The Lindens, McCrone House, John Dickinson Plantation and the Meeting House Galleries to  
22 support these operations.

23  
24 Section 126. Section 1 of this Act includes an appropriation to the Department of State, Division  
25 of Historical & Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation Fund.  
26 Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art for  
27 placement in state museums.

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Section 127. Section 1 of this Act provides an appropriation to the Office of the Budget, "Contingency: One-Time Appropriations" (10-02-00). Of that amount, \$10.0 is included for the Robinson House Feasibility Study (20-06-04). These funds shall be expended to develop the planned utilization and outreach potential of the Robinson House property. Any funds remaining shall be used for facility repairs.

Section 128. Amend 29 Del. C. § 6605B by adding the following: "For purpose of this Chapter, the Division of Libraries shall be considered a networked integrated library system that may apply directly to the Secretary of State for Improvement Grants that have statewide benefits. Such grants may be awarded with the advice of the Delaware Council on Libraries and shall not require a non-state share."

Section 129. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the Office of the State Bank Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for costs associated with the collection and administration of the Bank Franchise Tax.

Section 130. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of \$2,371.6 for Library Standards. Of that amount, Libraries may reserve up to \$237.1 for planning and evaluation grants to determine each library's attainment of state and federal library standards. The remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount allocated to that library, one installment upon signature of the contract and the second installment in January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an account for the benefit of the library from which the unspent funds came. These funds may be spent in subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be used as part of any subsequent years' formula payment.

# FINANCE

1  
2       Section 131. The Department of Finance, Office of the Secretary, is authorized during  
3 Fiscal Year 2002 to maintain special funds with the State Treasurer for the acquisition of technology and  
4 payment of other costs incidental to the implementation and maintenance of computer systems at the  
5 Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and  
6 shall not exceed \$2,595.0. Of this amount, \$600.0 shall be used for the purpose of maintaining the  
7 Revenue's mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C.  
8 subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract  
9 for system maintenance with the Office of Information Services.

10  
11       Section 132. Revenue (25-06-01) is authorized to establish and maintain a special fund with the  
12 State Treasurer for the purposes of contracting for the collection of delinquent State taxes and other debts  
13 that Revenue has undertaken to collect. The contracts may provide for either or both: (a) collection or  
14 assistance in collection of delinquent accounts from businesses or persons; (b) audit of business taxables  
15 under the direct supervision of Revenue management; or (c) audit of physical inventory of alcoholic  
16 beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes under  
17 such contracts. A detailed report on all expenditures from and collections to this special fund shall be  
18 sent annually to the Budget Director and the Controller General. Unencumbered balances on June 30 in  
19 excess of \$275.0 shall revert to the General Fund.

20  
21       Section 133. The Director of Revenue shall have the authority to accept, on whatever terms and  
22 conditions he/she may establish, payment by credit card of taxes, fees and other obligations which  
23 Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of  
24 credit card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in  
25 the Appropriated Special Fund line may be used to pay for fees and expenses associated with the  
26 collection of taxes by credit cards.

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Section 134. The Director of Revenue shall have the authority to enter into agreements according to which contingency and other fees are provided to finders of property to be escheated to the State or to other persons identifying abandoned property by means of audit or otherwise. When the Director deems it to be appropriate, he/she may enter into escrow, custodian, or similar agreements for the purpose of protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid agreements. The Director may direct that payment for said fees or other costs incident to escheat of property under the aforesaid agreements, including litigation expenses incident to escheat administration be made out of such money held in the escrow, custodian or other account established under this paragraph. No account shall be used to pay for employees of the Division of Revenue. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which charges relating to receiving and processing remittances and reports by holders, and claims by owners of abandoned property, as well as advertising and travel fees and associated costs may be paid and into which abandoned property remittances may, at the discretion of the Director, be deposited. Unencumbered balances on June 30, in excess of \$75.0, shall revert to the General Fund. A semi-annual report of amounts in escrow or custodian accounts shall be furnished to the Budget Director and the Controller General.

Section 135. Revenue (25-06-01) is authorized to require payment of fees for issuance of certificates or other documents reflecting the status of taxes, if any, owed by the taxpayer requesting such certificate. In addition, the division is authorized to specify payment of fees for collection of debts owed to claimant agencies. Payment of these fees shall be deemed to reduce the contractual services expenditures of the division and shall be recorded as expenditure-reducing items.

Section 136. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be released to an appropriately established account within the Department of Health and Social Services, Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the

1 amount of which shall be determined based on the results of video lottery operations conducted during the  
2 immediately preceding month.

3

4 Section 137. (a) In the event that the State Lottery's amount of contractual services shall exceed  
5 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
6 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
7 the Budget Director; provided that the total operating budget for this fiscal year shall not exceed 20  
8 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

# ADMINISTRATIVE SERVICES

Section 138. During Fiscal Year 2002, notwithstanding the provisions of 29 Del. C. §5915, the Merit Employee Relations Board shall hear all maintenance review classification appeals before it in chronological order, beginning with the oldest such appeal unless all parties are in agreement with other such arrangements.

Section 139. 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 140. 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 141. 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 142. 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 143. 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.

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Section 144. 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 145. (a) Section 1 of this Act appropriates \$8,071.2 and \$3,850.0 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		3,850.0
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.

1           Section 146. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
2 employee parking in the Government Center Parking Garage as long as such payments are continuances  
3 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
4 positions he or she occupied prior to May 31, 1998.

5  
6           Section 147. Personnel in the Department of Administrative Services, Facilities Management  
7 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive  
8 compensation at their straight time rate of pay for all overtime services performed beyond the normal  
9 work week. The method of compensation is subject to the availability of funds and/or the operational  
10 needs of the Department of Administrative Services, Facilities Management.

11  
12           Section 148. Section 1 of this Act appropriates \$800.0 to the Department of Administrative  
13 Services, Facilities Management (30-05-10). These funds for state agency underground storage tanks  
14 shall not be subject to reversion until June 30, 2004.

15  
16           Section 149. Section 1 of this Act provides an appropriation of \$5,481.6 in Contractual Services  
17 and \$854.6 in Supplies and Materials to Facilities Management (30-05-00), and \$50.0 to the Office of the  
18 Budget, Contingencies and One-Time Items (10-02-04) for the late opening of the Kent County  
19 Courthouse. Of these amounts, \$101.2 and \$10.2, respectively, are for the operation and maintenance of  
20 the Kent County Courthouse. The purchase of the Kent County Courthouse is planned for Fiscal Year  
21 2002. Should such purchase not occur, the Budget Director and the Controller General are authorized to  
22 transfer said funds to the Office of the Budget, Contingencies and One-Time Items (10-02-04) for Salary  
23 Contingency.

24  
25           Section 150. (a) Section 1 of this Act transfers the State Energy Office located within  
26 Administrative Services, Facilities Management (30-05-10) to the Department of Natural Resources and



1 Environmental Control, Business and Permitting Section (40-01-02). This includes a transfer of 1.4 GF  
2 FTEs and 2.6 NSF FTEs; Personnel Costs \$62.2; Contractual Services \$2.0; as well as all federal energy  
3 funds, trust funds, and grants from prior fiscal years.

4 (b) Amend 29 Del C. § 8806 (c) by deleting that section in its entirety.

5 (c) Amend 29 Del C. c. 80 by adding a new subsection to § 8003 with the following language:

6 “(16) (a) The Secretary shall be responsible for the administration and operation of the State  
7 Energy Office, and shall supervise all the required and discretionary programs currently underway  
8 within the State Energy Office. These include programs to promote energy efficient lighting and  
9 thermal systems, transportation programs aimed at reducing traffic and fuel usage and the  
10 procurement of energy efficient products and services. In addition, the State Energy Office shall  
11 work in cooperation with the State Public Service Commission and other State agencies and  
12 departments in the promotion of renewable fuels and energy supplies, improving the adequacy and  
13 reliability of energy supplies in Delaware and in assessing the environmental consequences of  
14 energy usage in Delaware. Further, the Secretary shall develop suitable and appropriate  
15 performance measures for the Energy Office and shall submit them as a component of the  
16 department’s annual budget submission.

17 (b) The Secretary shall also be responsible for development of a state facilities energy  
18 management plan. The state facilities energy management plan shall be developed in conjunction  
19 with the Division of Facilities Management to ensure that energy conservation methods are  
20 employed in all new and existing facilities owned by state agencies or local school districts. The  
21 plan shall be approved by the Secretary of both Department of Natural Resources and Environmental  
22 Control and the Department of Administrative Services. The state facilities energy management  
23 plan shall provide for, but not be limited to:

24 (1) Development and maintenance of energy conservation standards for the purpose of  
25 reviewing the design, construction, renovation, and maintenance of facilities owned by state  
26 agencies or local school districts;

1 (2) A program of energy audits of facilities owned by state agencies or local school districts  
2 in cooperation with designated representatives of said facilities;

3 (3) Development, maintenance, and distribution to facilities owned by state agencies or local  
4 school districts of guidelines, recommendations and technical assistance for energy conservation  
5 measures to be employed, installed and monitored in said facilities;

6 (4) A detailed description of the estimated energy and monetary savings, and environmental  
7 benefits.”

8  
9 Section 151. The Department of Administrative Services proposes to merge the Division of  
10 Support Operations and the Division of Purchasing into the Division of Support Services per Senate Bill  
11 230. If Senate Bill 230 of the 141<sup>st</sup> General Assembly or similar legislation is not enacted the merger  
12 shall not be effective. Should Senate Bill 230 be enacted the Budget Director is authorized to combine  
13 the appropriations of the Division of Support Operations and the Division of Purchasing into a single  
14 budget unit entitled Division of Support Services.

15

# HEALTH AND SOCIAL SERVICES

Section 152. 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 153. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse and Registered Nurse classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 154. Upon the approval of a plan by the Budget Director, Controller General and Co-chairs of the Joint Finance Committee, a new internal program unit shall be created within Administration (35-01-00). This unit shall be called Facility Operations (35-01-30) and will report to the Director of Management Services. Notwithstanding any other provisions of this Act, or the Delaware Code, positions and funding may be transferred to Facility Operations (35-01-30) from other divisions in the Department of Health and Social Services. These transfers shall not exceed 350.0 FTEs and \$20,000.0 combined of the necessary fund types to facilitate the creation of the unit. The transfers may be processed after November 1, 2001 but prior to June 30, 2002.

Section 155. The Division of Alcoholism, Drug Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Budget Director and the Controller

1 General. These reallocation initiatives shall not compromise the standard of care of the remaining  
2 Delaware Psychiatric Center population.

3

4 Section 156. Results of investigations conducted by the Audit and Recovery Management  
5 Services concerning any and all public welfare programs administered by the Department of Health and  
6 Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney  
7 General directly by the Secretary of the Department of Health and Social Services without approval by  
8 any other authority. The Office of the Attorney General shall prosecute those cases deemed actionable  
9 and return the rest to the Department of Health and Social Services for collection of overpayment. The  
10 Secretary of the Department of Health and Social Services shall file a quarterly report directly with the  
11 Budget Director, the Controller General, the Director of Research of Legislative Council, members of the  
12 Joint Finance Committee, and the Chairmen of the House and Senate Committees on Health and Social  
13 Services by the last day of the next month after the end of a quarter, which report shall not be subject to  
14 prior review by any other authority.

15

16 Section 157. Notwithstanding any other provisions of the Delaware Code, the merit position  
17 Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as  
18 the current incumbent vacates such position.

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

21

22 Section 158. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
23 and Social Services for Title XIX Federal Programs (Medicaid) - Other Than State Institutions shall be  
24 expended solely in accordance with the following conditions and limitations:

25 (i) This appropriation shall be used for the purpose of continuing the program of medical  
26 assistance provided within the state plan under Title XIX of the Social Security Act and the

1 requirement of Section 121(a) of P.L. 89-97 and all subsequent amendments enacted by the  
2 Congress of the United States and commonly known as Title XIX of the Social Security Act;

3 (ii) The state plan of medical care to be carried out by the Department of Health and Social  
4 Services shall meet the requirement for Federal Financial Participation under the  
5 aforementioned Title XIX, and the sums expended by the Department pursuant to this Act  
6 shall be limited to:

7 (1) Services mandated by the Health Care Financing Administration (HCFA), including:

8 a) Acute care inpatient general hospital services (other than services in institutions for  
9 tuberculosis or mental diseases)

10 b) Outpatient hospital services

11 c) Rural health clinic services and federally-qualified health center services

12 d) Laboratory and X-ray services

13 e) Nursing facility (NF) services

14 f) Early and periodic screening, diagnosis and treatment (including routine eye care,  
15 dental services and other medically necessary services that are not covered for the  
16 general population) for individuals under age 21 only known as EPSDT

17 g) Family planning services (including voluntary sterilization)

18 h) Physician services

19 i) Home health services including assistive technology such as durable medical  
20 equipment and supplies, prosthetics and orthotics, PT, OT and speech and hearing  
21 services

22 j) Nurse-midwife services

23 k) Services furnished by a certified nurse practitioner

24 l) Transportation

25 m) Medicare premiums and/or coinsurance and deductible amounts as mandated for dual  
26 Medicare/Medicaid eligibles, Qualified Medicare Beneficiaries, Specified Low

1 Income Beneficiaries, and individuals qualified under Section 4732 of the Balanced  
2 Budget Act of 1997

3 n) Additional services mandated by HCFA through future revisions to the Social Security  
4 Act

5 (2) Optional services, including:

6 a) Podiatry services

7 b) Clinic services, including mental health clinics, ambulatory surgical centers (ASCs) or  
8 free-standing surgical centers (FSSCs) and rehabilitation facilities.

9 c) Pharmaceutical products

10 d) Services for individuals age 65 or older in institution for mental diseases (ICF/IMDs)

11 e) Institutional services for the mentally retarded (ICF/MRs)

12 f) Emergency hospital sites not approved by Medicare (for clients traveling out-of-state)

13 g) Private duty nursing

14 h) Non-traditional services provided under a federally approved waiver for maintaining  
15 individuals in the community as an alternative to institutionalization

16 i) Hospice services

17 j) Rehabilitation and specialty hospital services

18 k) Other medically necessary services that are funded by the State

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

21 a) Pregnant women, and infants under the age of one, with family income up to 200  
22 percent of the poverty limit;

23 b) Children up to age 6 (through age 5) with family income up to 133 percent of the  
24 poverty limit;

25 c) Children up to age 19 (through age 18) with family income up to 100 percent of the  
26 poverty level;

27 d) Pregnant teens;

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

- 1 p) Income Deeming Eligibles - When income deemed from a step-parent, grandparent,  
2 sibling or the sponsor of an alien makes an individual ineligible for cash benefits,  
3 Medicaid determines eligibility excluding that deemed income;
- 4 q) Individuals who are categorically related to the Supplemental Security Income (SSI)  
5 program, including:
- 6 1) SSI Beneficiaries,  
7 2) Recipients of Mandatory State Supplement Payments,  
8 3) Recipients of Optional State Supplement Payments,  
9 4) Deemed SSI Clients due to:
- 10 • Loss of SSI due to an increase in Social Security benefits,  
11 • Disabled individual's loss of SSI due to employment,  
12 • Disabled Widows and Widowers, or  
13 • Adult Disabled Children.
- 14 r) Qualified Medicare Beneficiaries (QMBs);  
15 s) Qualified Working Individuals (QDWIs);  
16 t) Specified Low Income Medicare Beneficiaries (SLIMBs);  
17 u) Institutionalized Individuals with incomes at or below a percentage of the SSI standard  
18 as specified by the legislature (250 percent in 1997);  
19 v) Waivered individuals for home and community-based services as an alternative to  
20 institutionalization at the same percentage of SSI specified in subsection u above,  
21 including
- 22 1) Mentally Retarded,  
23 2) AIDS/HIV, or  
24 3) Elderly and Disabled.
- 25 w) Adults with incomes less than or equal to 100 percent of the Federal Poverty Level if  
26 enrolled in a managed care organization.



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

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

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

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

13  
14 Section 159. Public Health (35-05-00) currently operates the following programs for which a fee  
15 for service is charged to cover the cost of the program:

16 Child Health  
17 Vanity Birth Certificate  
18 Public Water  
19 Medicaid Enhancements  
20 Infant Mortality  
21 Medicaid Aids Waiver  
22 Children with Special Needs  
23 Family Planning  
24 Newborn  
25 Indirect Costs  
26 Vaccines

- 1 Food Inspection
- 2 Medicaid Contractors/Lab Testing and Analysis
- 3 Tuberculosis (TB)
- 4 Sexually Transmitted Diseases (STD)
- 5 Child Development Watch
- 6 Preschool Diagnostic and Development Nursery (PDDN)
- 7 Home Visits
- 8 Food Permit
- 9 Water Operator Certification
- 10 Long Term Care Prospective Payment
- 11 Long Term Care IV Therapy
- 12 Health Statistics

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

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

18  
19 Section 160. The sum of \$170.0 is hereby advanced from the General Fund of the State to the  
20 Management Services (35-01-20), in order that the Public Welfare Revolving Fund emergency checks can  
21 be paid on a timely basis and without interruption.

22  
23 Section 161. Section 1 of this Act includes an appropriation to the Department of Health and  
24 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.  
25 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
26 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

5           Section 162. Section 1 of this Act provides a tobacco fund appropriation to the Department of  
6 Health and Social Services, Public Health, Community Health (35-05-20). Of that amount, \$105.0 shall  
7 be used to contract with the Gift of Life Program to promote organ and tissue donor awareness; \$200.0  
8 shall be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program;  
9 \$40.0 shall be used for the Breast Cancer Coalition; \$150.0 for the acquisition of testing instruments and  
10 software to detect TB and metabolic disorders; and \$100.0 shall be used to contract with Cancer Care  
11 Connection and \$100.0 shall be used to contract with The Wellness Community, both to provide support  
12 services for people with cancer. These funding amounts shall be made available for Fiscal Year 2002  
13 only.  
14

15           Section 163. Section 1 of this Act provides an appropriation to the Department of Health and  
16 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and  
17 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug  
18 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office  
19 of Narcotics and Dangerous Drugs.  
20

21           Section 164. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
23 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based  
24 adult health services clinic serving the Claymont area of New Castle County.  
25

1           Section 165. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,  
3 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the  
4 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from  
5 the Preventive Health and Health Services Block Grant or other federal funds.

6  
7           Section 166. Section 1 of this Act provides an appropriation of \$120.0 to the Department of  
8 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
9 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
10 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer-or  
11 contract-vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public  
12 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
13 ambulance company on a form provided by Public Health, indicating that the person for whom the  
14 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
15 in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
16 maintained by Public Health. To insure the success of this program, Public Health and representatives of  
17 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all  
18 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of  
19 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the  
20 needs of the volunteer community have been met, similar assistance may be offered to other fire and  
21 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this  
22 fund, may also be spent to provide any required post vaccination antibody testing in order to assure  
23 adequate protection has been achieved.

24  
25           Section 167. Section 1 of this Act provides an appropriation for the Department of Health and  
26 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary

1 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
2 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

3  
4 Section 168. The State desires to establish a permanent funding program for rodent control  
5 activities at the local level by providing the City of Wilmington \$15.0; New Castle County \$15.0; Kent  
6 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
7 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
8 be made no later than September 1, 2002; establish program objectives and spending guidelines; require  
9 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into  
10 the next fiscal year.

11  
12 Section 169. Section 1 of this Act includes an appropriation to the Department of Health &  
13 Social Services, Division of Public Health, Community Health (35-05-20) for "Rodent Control". That  
14 amount includes \$30.0 in additional funding over FY 2001, to be allocated proportionately among the  
15 jurisdictions. These funds will be matched by the various jurisdictions on a dollar-to-dollar basis.

16  
17 Section 170. The Department of Health and Social Services, Alcoholism, Drug Abuse and  
18 Mental Health (35-06-00) will be able to bill for additional Medicaid Revenue due to a waiver of the  
19 Institution for Mental Diseases exclusion, as part of the Medicaid Managed Care waiver. This additional  
20 revenue shall be deposited to the General Fund, and the division shall make every effort to ensure that  
21 these bills are submitted to the appropriate entities in an expeditious manner.

22  
23 Section 171. Disproportionate share revenues of \$1,600.0 are projected to be collected from the  
24 federal government during Fiscal Year 2002. The department shall deposit disproportionate share  
25 revenues to the General Fund and shall continue to maintain its efforts to ensure that the State receives its  
26 allotted disproportionate share payments from the federal government. The department shall report  
27 quarterly to the Budget Director and the Controller General on disproportionate share revenue received.

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Section 172. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Alcoholism, Drug Abuse and Mental Health, Inpatient Mental Health (35-06-30), for Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable graduate nurses to take graduate courses to increase their skills in specialty areas.

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

Section 173. Section 1 of this Act provides funds for a Dietitian position in Inpatient Mental Health (35-06-30). The purpose of this position is to allow the IPU to provide services by a registered Dietitian as required for certification. This position shall also provide dietitian services to the Terry Children's Psychiatric Center. The charges associated with food contracts between Inpatient Mental Health (35-06-30) and the Terry Children's Psychiatric Center for Fiscal Year 2002 shall be finalized by October 1, 2001.

Section 174. Inpatient Mental Health maintains appropriation account 35-06-30-98-37 to receive reimbursement for providing a work study program for local nursing schools and for assigning residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively. Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the proceeds from the aforementioned account.

Section 175. Section 1 of this Act provides an appropriation to the Department of Health and Social Services, Alcoholism, Drug Abuse and Mental Health, Alcoholism and Drug Abuse (35-06-40) in Contractual Services. In addition to this General Fund appropriation, the Director of Alcoholism, Drug Abuse and Mental Health, shall ensure that the amount of \$60.0 be expended from available federal funds

1 to contract for employment, alcohol, and drug counseling and referral services for youth and adults to  
2 encourage an alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be  
3 expended from available federal funds to contract for employment, alcohol, and drug counseling and  
4 referral services for youth and adults to encourage an alcohol and drug-free environment in the Claymont  
5 community.

6  
7 Section 176. Section 1 of this Act makes an appropriation to the Department of Health and Social  
8 Services, Social Services (35-07-01), for various programs that pay for health care including drugs for  
9 many citizens of Delaware. In the Medicaid program, Federal regulations mandate that drug companies  
10 must provide rebates in order to participate in the program. Social Services shall establish a drug rebate  
11 process for the non-Medicaid programs administered by the division including but not limited to: the  
12 Delaware Healthy Children Program, the Renal Disease Program, the Delaware Prescription Assistance  
13 Program and the Legal Non-Citizen Health Care Program. The division shall establish a rebate process  
14 for these programs that it determines is in the best interests of the citizens who are being served. The  
15 rebate amount shall be calculated using the full methodology prescribed by the Federal government for  
16 the Medicaid program. Notwithstanding any provisions of the Delaware Code to the contrary, the  
17 division shall deposit any drug rebate funds received into the appropriate Social Services program account  
18 and used to meet program costs. The authority to retain drug rebate collections shall be retroactive to July  
19 1, 2000.

20  
21 Section 177. (a) Section 1 of this Act appropriates \$2,139.9 in Social Services (35-07-00) under  
22 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management  
23 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and  
24 shall have the authority to allocate such funds, and may advise on the use of other funds specifically  
25 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 positions and  
26 establish or contract for an additional 2.0 positions needed to provide appropriate services for Children  
27 Birth to Three, selected through the early intervention process and to ensure coordination with the Program

1 for Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund  
2 positions and/or General Fund dollars from the Department of Health and Social Services as necessary to  
3 operate this program. The lead agency shall report to the Budget Director and the Controller General on  
4 additional revenues that will be generated from Medicaid matching funds for reimbursable appropriate  
5 services that will be deposited into the General Fund in Fiscal Year 2002.

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

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

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

24  
25 Section 178. Section 1 of this Act provides an appropriation to the Department of Health &  
26 Social Services, Division of Social Services (35-07-01) in the line "Early Intervention". Of that amount,



1 \$130.0 shall be used to provide a volume increase in the amount of direct services available for additional  
2 Birth-to-Three Program participants and \$70.0 for a 4 percent inflationary increase.

3  
4 Section 179. Section 1 of this Act makes an appropriation to the Department of Health and Social  
5 Services, Social Services (35-07-00), for Title XIX Federal Programs (Medicaid). Notwithstanding the  
6 provisions of the Delaware Code to the contrary, the Division shall be permitted to use Medicaid XIX-  
7 OTSI funds when necessary to reimburse the federal government for its portion of overpayments not  
8 collected within sixty (60) days of identification. When such overpayments are collected, the funds  
9 collected shall be deposited back into the Medicaid XIX-OTSI account.

10  
11 Section 180. Section 1 of this Act provides an appropriation to the Department of Health and  
12 Social Services, Social Services (35-07-01) for Renal Disease.

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

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

25  
26 Section 181. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
27 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded

1 through voluntary contributions from medical facilities and from federal matching funds. These positions  
2 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
3 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
4 State of Delaware. Other medical facilities throughout the state may participate in this program.

5  
6 Section 182. The Secretary of the Department of Health and Social Services shall submit a  
7 quarterly report to the Budget Director and the Controller General separating departmental revenue  
8 estimates into categories related to the \$16,898.7 ASF for the Medicaid program in Social Services, (35-  
9 07-00); the \$1,492.4 ASF for child support programs in Child Support Enforcement, (35-10-00); the  
10 \$11,926.9 ASF for programs in Public Health (35-05-00); and the \$2,612.8 ASF for programs in  
11 Alcoholism, Drug Abuse and Mental Health (35-06-00). This report will aid the Budget Director and the  
12 Controller General in determining if the projected revenue will support the Appropriated Special Fund  
13 accounts.

14  
15 Section 183. The Department of Health and Social Services, Social Services (35-07-00) is  
16 authorized to establish bank accounts to advance funds from the Employment and Training program to  
17 clients or vendors in a timely manner. These advances would be for supportive services or welfare  
18 diversion services in the nature of clothing and transportation allowances and other services, to advance  
19 client self-sufficiency, as proposed in “Delaware’s A Better Chance Welfare Reform Program”.

20  
21 Section 184. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
23 II system maintenance. Social Services shall have the authority to contract for positions needed to  
24 provide system maintenance. The Division shall also have the authority, with approval from the Budget  
25 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to  
26 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

1           Section 185. Notwithstanding any other provisions of the Delaware Code, the Chief Physician  
2 position BP #69747 in Social Services (35-07-00) shall be considered exempt.

3  
4           Section 186. The Department of Health and Social Services is authorized to contract with a  
5 cooperative Multi-State purchasing contract alliance for the procurement of Pharmaceutical Products and  
6 allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to entering into  
7 any such contracts the department will obtain the approval of the Secretary of the Department of  
8 Administrative Services.

9  
10          Section 187. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
11 Social Services, Social Services (35-07-00) for the Prescription Assistance Program. These funds may be  
12 used for both client services and administrative costs.

13  
14          Section 188. Delaware Health and Social Services is authorized to contract for the procurement  
15 of Managed Care Organization (MCO) services for the Diamond State Health Plan. The provisions of 29  
16 Del. C., c. 69 shall not apply to such contracts.

17  
18          Section 189. The State accepts the provisions and benefits of the Vocational Rehabilitation Act  
19 of 1973 (P.L. 93-112), as amended. The Department of Health and Social Services shall act as the sole  
20 state agency with the Secretary of the Department as the State Officer, and Visually Impaired (35-08-00)  
21 as the Designated State Unit for all monies from the Act that are designated for persons with visual  
22 impairment and blindness, as defined in a Cooperative Agreement dated December 1985, between the  
23 Department of Labor, Visually Impaired and Vocational Rehabilitation (60-08-00). The department shall  
24 cooperate with the U.S. Department of Education, Rehabilitation Services Administration and, in  
25 accordance with all state laws, prepare the State Plan and carry out the Rehabilitation Act of 1973 and  
26 amendments thereto.

27

1           Section 190. The Secretary of the Department of Health and Social Services shall report to the  
2 Budget Director and the Controller General by September 1, 2001, on the status of the implementation of  
3 additional dental services to Medicaid eligible children on a statewide basis. The Secretary shall consider  
4 the use of dental vans suitably equipped with appropriate dental professionals or other service delivery  
5 mechanisms.

6  
7           Section 191. Section 1 of this Act appropriates \$1,923.9 in Personnel Costs and 40.6 FTEs to  
8 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
9 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
10 be filled if the September 2001 educational unit count indicates the number of teachers required to meet  
11 caseloads for visually impaired students is greater than the Fiscal Year 2002 complement of teachers.

12  
13           Section 192. Section 1 of this Act provides an appropriation to the Department of Health and  
14 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be  
15 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
16 impaired school children.

17  
18           Section 193. Section 1 of this Act provides an appropriation of \$1,492.4 Appropriated Special  
19 Funds (ASF) in the Department of Health and Social Services, Child Support Enforcement (35-10-00),  
20 for the operation of the division. Revenue from child support collections shall fund this account and the  
21 related 27.2 ASF FTEs. The department shall continue its efforts to maintain collections related to child  
22 support programs, and all revenue in excess of the division's ASF authority shall be deposited as  
23 designated by 29 Del. C. § 6102.

24  
25           Section 194. Section 1 of this Act provides an appropriation to the Department of Health and  
26 Social Services, Mental Retardation, Institutional Services (35-11-20) for Contractual Services. Of that  
27 amount, up to \$10.0 shall be available for services provided by Camp Barnes.

1  
2           Section 195. Section 1 of this Act appropriates funding to the Mental Retardation, Community  
3 Services (35-11-30) for the Purchase of Community Services. Of this amount, \$57.0 shall be used for the  
4 Mary Campbell Center.

5  
6           Section 196. Mental Retardation, Community Services (35-11-30) receives Medicaid  
7 reimbursement for the provision of day rehabilitation services provided in state operated day centers.  
8 Notwithstanding the provisions of 29 Del. C. § 6102, the Division shall be allowed to collect and deposit  
9 the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day Rehabilitation  
10 Services Reimbursement." Receipts in the account may be used to fund community residential and day  
11 program contracts currently funded out of the Purchase of Care and Purchase of Community Services  
12 lines.

13  
14           Section 197. (a) Mental Retardation (35-11-00) is encouraged, where appropriate, to reallocate  
15 resources so as to maximize community-based residential placements for persons with mental retardation.  
16 Such reallocation initiatives must be made within the total Division's appropriation limit with the  
17 approval of the Budget Director and the Controller General. These reallocation initiatives shall not  
18 compromise the standard of care of the remaining Stockley Center population.

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

24           (c) Section 1 of this Act also provides an appropriation to Social Services (35-07-00), for the SSI  
25 Supplement and Medicaid – Non-State. Of those amounts, \$30.3 and \$559.5, respectively, are the result  
26 of a reallocation from Mental Retardation, Community Services (35-11-20) as part of the Stockley

1 Transition Plan and shall be used exclusively for the community placements of Mental Retardation  
2 clients. This reallocation is also the result of the authority found in subsection (a) to reallocate resources  
3 to maximize community-based residential placements and was needed in order to maximize federal  
4 participation in such placements.

5  
6 Section 198. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
7 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to  
8 buy them and to publish a Human Services Directory, respectively.

9  
10 Section 199. Section 1 of this Act provides an appropriation of \$50.0 to the Department of  
11 Health and Social Services, State Service Centers, Family Support (35-12-10), for Hispanic Affairs.  
12 Members of the Council on Hispanic Affairs shall serve without compensation, except that they may be  
13 reimbursed for reasonable and necessary expenses incident to their duties.

14  
15 Section 200. State Service Centers, Service Center Management (35-12-20), currently operates  
16 14 facilities throughout the State for which a Tenant User Fee for service is charged to partially offset the  
17 cost of Service Center Operations. The holding account for this function is entitled "Facility  
18 Reimbursement".

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

22  
23 Section 201. Section 1 of this Act includes an appropriation to the Department of Health &  
24 Social Services, Division of State Service Centers, Service Center Management (35-12-20) for Personnel  
25 Costs. Of that amount \$13.3 shall be used to fund the results of a personnel review of "Greeter Positions"  
26 located in State Service Centers statewide.

1           Section 202. Section 1 of this Act makes an appropriation to the Department of Health and Social  
2 Services, State Service Centers, Community Services (35-12-30), for emergency assistance. Some of this  
3 appropriation may be used for programs of longer than 30 days duration.

4  
5           Section 203. The position of Director, Community Services, shall remain exempt from classified  
6 service until such time as the position becomes vacant.

7  
8           Section 204. Notwithstanding any other provisions of the Delaware Code, State employee  
9 recognition funds may be used per existing guidelines to include the recognition of volunteers and other  
10 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

11  
12           Section 205. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
13 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
14 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division  
15 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund  
16 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
17 maintain existing services and provide additional services for adults with physical disabilities. Such  
18 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
19 by the Budget Director and the Controller General.

20  
21           Section 206. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Services for Aging and Adults with Physical Disabilities (35-14-00), for non-personnel  
23 costs. Of that amount, \$52.1 shall be utilized for the Joining Generations Program.

24  
25           Section 207. Section 1 of this Act includes an appropriation to the Department of Health &  
26 Social Services, Division of Aging (35-14-01) in various lines with an authorization for 2.0 additional GF  
27 positions as well as one-time items. These items total \$104.7 GF and 2.0 GF positions to fund legislation

1 concerning a "Money Management Program". Should this or similar legislation not be signed into law,  
2 these funds and related positions will revert on June 30, 2002.

3

4 Section 208. 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.

8



# CHILDREN, YOUTH AND THEIR FAMILIES

Section 209. 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 \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay.

(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 210. During Fiscal Year 2002, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware to replace similar services provided outside of the State. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and

1 funding changes must be approved by the Budget Director and the Controller General, and new positions  
2 shall be limited to a total of ten.

3  
4 Section 211. In addition to the positions authorized in Section 1 of this Act for Youth  
5 Rehabilitative Services Secure Care (37-05-50), the Controller General and the Budget Director may  
6 authorize additional positions for the youth rehabilitative counselors at the Stevenson House Detention  
7 Center if the current staffing is inadequate for the detained population for a continuous period of not less  
8 than sixty days.

9  
10 Section 212. For Fiscal Year 2002, Management Services (37-01-00) shall have 1.0 FTE exempt  
11 position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes  
12 vacant, it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C.  
13 c. 59.

14  
15 Section 213. Funds which are appropriated for foster care of children in Section 1 of this Act in  
16 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are  
17 made available with the goal of limiting the number of children who remain in foster care for more than  
18 two years. For the year beginning October 1, 2001, the goal will be 220 children. This goal statement is  
19 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
20 272).

21  
22 Section 214. Family Services is hereby directed to formally notify, in advance, the Foster Care  
23 Review Board of any meeting, hearing or other event of which the Board desires notification. Said  
24 notification shall be directed to the Executive Director of the Board.

1           Section 215. The Secretary of the Department of Services for Children, Youth and Their  
2 Families shall certify to the Governor and the General Assembly that the mixing of adjudicated and non-  
3 adjudicated youths shall not take place in Ferris School.

4  
5           Section 216. (a) During Fiscal Year 2002 any employee who is currently enrolled in an  
6 education program as part of the Ferris School Restructuring Transition Plan shall continue to receive  
7 financial support from Youth Rehabilitative Services until the completion of a relevant bachelor's degree.  
8 Any remaining balance in (37-05-50-01-98) shall remain authorized and available for training and staff  
9 development within the division. Special consideration shall be given to probation and parole officers.

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

15  
16           Section 217. As a means of monitoring and improving the excessive expenditure of  
17 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
18 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
19 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report  
20 should include but not be limited to sick leave usage, incidence of tardiness, vacancy rates, training and  
21 transportation costs and the use of correctional officers at the Ferris School, New Castle County Detention  
22 Center and Stevenson House. The report should reflect all actions (including disciplinary) being taken to  
23 expeditiously correct the noted problem areas.

1           Section 218. Section 1 of this Act includes an appropriation for Salary Contingency-Overtime in  
2 the Office of the Budget, Contingencies and One-Time Items (10-02-04). Of that amount, the item  
3 amounting to \$305.8 for overtime in the Department of Services for Children, Youth, and Their Families,  
4 Youth Rehabilitative Services, Secure Care (37-05-50) shall be transferred to the department and used for  
5 overtime with the consent of the Budget Director and Controller General after the department has  
6 demonstrated that every effort has been made to control and limit the use of overtime.

7  
8           Section 219. The Department of Services for Children, Youth and Their Families shall submit  
9 semi-annual reports to the Budget Director and the Controller General that detail the expenditures of the  
10 internal program unit of Community Services (37-05-30) by dispositional guideline level, outlines the  
11 numbers of youth served by various programs within the unit and summarizes the personnel complement  
12 associated with each program within the unit. These reports shall be due on November 30, 2001, and  
13 May 30, 2002.

14  
15           Section 220. Section 1 of this Act provides an appropriation to the Department of Services For  
16 Children, Youth, And Their Families, Youth Rehabilitation Services, Secure Care (37-05-50), for  
17 Contractual Services. Of that amount up to \$100.0 may be used for pre-trial diversion in the Superior  
18 Court (02-03-00).

19  
20           Section 221. The Department of Services for Children, Youth and Their Families shall report on  
21 a quarterly basis during Fiscal Year 2002 to the Controller General and Budget Director the status of the  
22 Stevenson House Facility in Milford. This report shall include, but not be limited to, staffing vacancies,  
23 total budgetary expenditures vs. appropriations, overtime, casual/seasonal expenditures, population  
24 statistics, facility condition and capacities, and incident reports.

25  
26           Section 222. Section 1 of this Act provides an Appropriated Special Fund authorization of  
27 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting

1 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose  
2 Criminal Justice Facility (38-04-06).

3  
4 Section 223. Section 1 of this Act provides an appropriation to the Department of Services for  
5 Children, Youth and Their Families, Child Mental Health Services, Managed Care Organization (37-04-  
6 10) for Pass Throughs. Of that amount, \$300.0 shall be used for the statewide Juvenile Drug Court  
7 Program and transferred to SODAT.

8  
9 Section 224. (a) In addition to the positions authorized in Section 1 of this Act for Family  
10 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director  
11 may authorize up to 15 additional training positions for the purpose of training investigative and treatment  
12 workers. The Budget Director may authorize additional recruit positions accordingly.

13 (b) Additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the  
14 Director (37-06-10) for the purposes of training workers hired in accordance with Section 225 of this Bill.  
15 As the need for the over-hire provisions and the associated training authority is reduced, the Budget  
16 Director and the Controller General may eliminate two positions through attrition.

17  
18 Section 225. For the purposes of retaining and attracting experienced investigation and treatment  
19 workers in Family Services, the Division may competitively recruit for Family Crisis Therapists in their  
20 investigation and treatment units. It is anticipated that Family Services shall hire a minimum of two  
21 Family Crisis Therapists per investigation and treatment units, subject to the availability of successful  
22 candidates. Current Family Services employees who successfully apply for these positions shall have  
23 their position reclassified to Family Crisis Therapist. Such reclassifications or reclassifications of vacant  
24 positions to Family Crisis Therapist shall be effective upon the approval of the State Personnel Director,  
25 Budget Director and the Controller General. Family Services is authorized to transfer positions between  
26 budget units in order to adjust its complement to ensure the correct number of FTEs are in each functional  
27 unit of the Division. Family Services shall submit a quarterly report to the Budget Director and the

1 Controller General detailing any adjustments to the complement, the number of Family Crisis Therapists  
2 hired and retention statistics.

3

4 Section 226. Section 1 of this Act appropriates 6.0 NSF FTEs to provide additional Probation  
5 Officers to serve youth on probation or parole in Youth Rehabilitative Services, Community Services (37-  
6 05-30). These additional officers will serve as part of a new program designed to more vigorously  
7 enforce violations of probation or parole by YRS clients. Federal funds shall be available for these  
8 positions and to provide residential placements for youths who violate the conditions of their probation or  
9 parole. Such placements may be for two weeks for the first offense, three months for the second offense  
10 and until the youth reaches age 18 for the third offense.

11

12 Section 227. Section 1 of this Act provides an appropriation to the Department of Services for  
13 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$423.6 for  
14 Pass Throughs. It includes:

15	Child Advocacy Center	\$280.7
16	People's Place, Milford	\$ 67.0
17	CHILD, Inc.	\$ 29.5
18	Watchful Shepherd	\$ 46.4

19

20 Section 228. Section 1 of this Act appropriates \$50.0 to the Office of the Budget, One-Times and  
21 Contingencies, Division for Family Services (37-06-04). These funds shall be used by the division to  
22 incrementally reduce the rate of underutilization of contracts for shelter-based services provided by Aid in  
23 Dover and Child, Inc.

24

25 Section 229. Section 1 of this Act makes an appropriation of \$50.0 to the Department of Services  
26 to Children, Youth, and their Families for the purpose of developing a Kinship Care Pilot Program to  
27 benefit those individuals who are the primary caretakers of the dependent children of relatives. This

1 program shall be developed in accordance with the Kinship Care Task Force Report, and the department  
2 shall submit a report on the progress of the program to the Budget Director and the Controller General by  
3 March 1, 2002.  
4

# CORRECTION

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

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

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

19  
20       Section 231. Section 1 of this Act provides an appropriation to the Department of Correction,  
21 Administration, Medical/Treatment Services (38-01-30). Administration of the Medical/Treatment  
22 Services contract shall be the responsibility of the Commissioner of Correction or his designee.

23  
24       Section 232. Section 1 of this Act makes an appropriation to the Department of Correction,  
25 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of  
26 inmate hospice care.



1  
2           Section 233. The Department of Correction, Administration, Facilities Maintenance (38-01-40),  
3 receives funding for maintenance and restoration projects in the Budget Act. The department must submit  
4 a quarterly report to the Budget Director and the Controller General, detailing the expenditure of such  
5 funds and the respective projects. The department shall submit a preliminary plan for maintenance  
6 projects for Fiscal Year 2003 by October 31, 2001, to the Budget Director and the Controller General.

7  
8           Section 234. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
9 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
10 appropriation is a 1.0 FTE Administrative Assistant II and \$33.7 for Personnel Costs, \$23.0 for Supplies  
11 and Materials, \$43.5 for casual/seasonal, \$29.5 for Contractual Services and \$4.0 for Travel.

12  
13           Section 235. Section 1 of this Act appropriates the sum of \$19.0 in "gate money" or "release  
14 money" to the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). The General  
15 Assembly intends that these funds be used for inmates, who upon their release, are financially unable to  
16 obtain transportation away from the facility. The funds thus appropriated shall be used for the express  
17 purpose of providing cash payments to eligible inmates being released from an adult correctional facility  
18 and shall be expended as follows:

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

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

26           Any prisoner who, after using option (a) or (b) of this Section, has insufficient funds to provide a  
27 one-way bus ticket to his/her place of residence, shall forfeit all such funds and shall be provided with a

1 one-way bus ticket to his/her place of residence, as well as sufficient funding to provide food during  
2 travel.

3  
4 Section 236. 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 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

7  
8 Section 237. Section 1 of this Act provides an appropriation for Personnel Costs to the  
9 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
10 appropriation is 1.0 position and Personnel Costs to allow the department to oversee a program to  
11 manufacture reading materials in Braille for the visually impaired.

12  
13 Section 238. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
14 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a  
15 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
16 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
17 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of  
18 Correction by June 1 of each year, which will include but not be limited to the mission of the  
19 organization, the statement of the problem, a synopsis of the program, the number of participants,  
20 statistics relating to recidivism rates of those participating in the program and an annual budget of the  
21 organization.

22  
23 Section 239. (a) Section 1 of this Act makes an appropriation of \$4,209.4 to the Department of  
24 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol  
25 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -  
26 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,

1 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
2 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse  
3 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
4 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
5 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
6 Commissioner of Correction or his designee.

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

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

15

16 Section 240. (a) Of the total positions authorized in Section 1 of this Act for the Department of  
17 Correction, Community Corrections, Kent County Work Release Center (38-06-08), three positions shall  
18 be used to continue the existing highway beautification project.

19 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction,  
20 Community Corrections, Central Violation of Probation Center (38-06-10), four positions shall be used to  
21 continue the existing highway beautification project.

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

1 (d) Section 1 of this Act also makes an appropriation for Contractual Services to Department of  
2 Correction, Community Corrections, Kent County Work Release Center (38-06-08). Of this amount, \$5.0  
3 shall be used for "tipping" fees.  
4

5 Section 241. Section 1 of this Act provides an appropriation to Community Corrections,  
6 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget  
7 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,  
8 II and III) and the average personnel complement for each level. These reports are due on December 31  
9 and June 30.  
10

11 Section 242. Section 1 of this Act provides an appropriation to Department of Correction,  
12 Community Corrections, Probation and Parole (38-06-02) for Contractual Services. Of this appropriation,  
13 \$94.0 shall be used to support a community restorative justice program in New Castle County.  
14

15 Section 243. Section I of this Act makes appropriations of \$81.5 ASF and 2.0 ASF FTEs in  
16 Department of Correction, Prisons, Webb Correctional Facility (38-04-02), \$81.5 ASF and 2.0 ASF FTEs  
17 in Department of Correction, Community Corrections, Plummer Work Release Center (38-06-06) and  
18 \$81.5 ASF and 2.0 ASF FTEs in Department of Correction, Community Corrections, Central Violation of  
19 Probation Center (38-06-10). These positions shall be Correctional Officers who will supervise inmate  
20 work crews primarily for completing projects requested by the Delaware Department of Transportation.  
21 The source of funding shall be the Department of Transportation, Division of Highway Operations,  
22 Maintenance Districts (55-04-70). Adjustments to Appropriated Special Fund spending authority for this  
23 program can be made upon the concurrence and approval of the Budget Director and the Controller  
24 General.  
25

26 Section 244. The Department of Correction, Administration, Office of the Commissioner (38-01-  
27 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget

1 Director and Controller General. The report shall include the number of overtime hours worked and the  
2 amount of overtime salary expended by each agency within the Department, and shall include a  
3 breakdown of the reason for overtime. The first quarterly report is due on September 30, 2001.

4  
5  
6 Section 245. Section 1 of this Act provides an appropriation to Community Corrections, House  
7 Arrest (38-06-04) for the purpose of supporting a program of home confinement using electronic  
8 monitoring devices. The supervision of offenders assigned to home confinement and the use of the  
9 electronic monitoring devices shall be restricted to the area within the geographical boundaries of the  
10 State of Delaware, unless otherwise determined by the Commissioner of the Department of Correction.

11  
12 Section 246. Pursuant to appropriations in the Department of Correction, Prisons (38-04-00) and  
13 the Department of Education, Block Grants and Pass Through Programs (95-03-00) in Section 1 of this  
14 Act, the Department of Correction and the Department of Education shall enter into an agreement for the  
15 operation of prison education services. Under any such agreement the Department of Education shall be  
16 responsible for the operation of prison education services. These educational services shall include, but  
17 not be limited to, programs provided to juvenile inmates in the Young Criminal Offender Program and  
18 inmates between the ages of 18 and 21, including those requiring special educational services. Students  
19 served under this program shall not be included in the calculation for unit count purposes as defined in 14  
20 Del. C. c. 17. The Budget Director and Controller General may transfer funds between lines and  
21 Departments to pay for this program.

22 To facilitate the coordination of education services within the prison system the Department of Correction  
23 may use an existing vacancy during Fiscal Year 2002 or may reimburse a school district or state agency to  
24 cover the salary and expenses for those services. Prison education services shall be provided by utilizing  
25 existing teachers that are in the Department of Correction as well as newly authorized teaching positions  
26 in the Department of Education. The management of all educational positions shall be provided by the  
27 Department of Education. All existing teachers in the Department of Correction may voluntarily transfer

1 to the Department of Education. Department of Correction teachers shall have the opportunity each year  
2 to notify both agencies of their intent to transfer to the Department of Education. Such notification shall  
3 be made by April 15 of each year to become effective July 1 of that calendar year. Any position transfer  
4 made pursuant to this section shall be permanent.

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

10

11 Section 247. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
12 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
13 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
14 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
15 percent during night time and weekend hours.

16

17 Section 248. The Merit Rules notwithstanding, Department of Correction employees designated  
18 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless  
19 of their classification.

20

# 1       **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 249. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to  
3 spend up to \$4,291.0 in Appropriated Special Funds. Within this amount, the division is authorized to  
4 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These  
5 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an  
6 attachment to the department's Fiscal Year 2002 Capital Improvement Program. Any deviation from the  
7 listed projects must be approved by the Budget Director and the Controller General.

8  
9           Section 250. The Department of Natural Resources and Environmental Control will provide the  
10 Joint Finance Committee with information on the actual cost of all Title V program activities, including  
11 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the  
12 Joint Finance Committee by January 31, 2002, and July 31, 2002, respectively.

13  
14           Section 251. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed  
15 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-  
16 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and  
17 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$275.0 of the  
18 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland  
19 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

23  
24           Section 252. Section 1 of this Act appropriates funds to Air and Waste Management (40-09-00),  
25 for the SARA III Program. All ASF collected in this program shall be distributed to the Local Emergency  
26 Planning Committees.

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Section 253. Section 1 of this Act appropriates \$716.9 in General Funds and \$169.5 in Appropriated Special Funds for a dog control contract in the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-05). The recipient of this contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code. Of the total General Fund appropriation, \$168.0 is dedicated to fund 4 dog control officers: 2 in New Castle County, 1 in Kent County and 1 in Sussex County.

Section 254. Section 1 of this Act makes an appropriation for contractual services to the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-02). Of that total appropriation \$25.0 is to be dedicated to beaver control.

Section 255. Section 1 of this Act appropriates one-time funding of \$30.0 to the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, Dog Control (40-05-05) for an animal control pilot project. The funds will be used to pay for spaying and neuter of cats and dogs. Of this appropriation \$1.0 may be used for the cost of printing and advertising.

The components of the program will include a plan phase to design the program. The planning phase will begin July 1, 2001 and be completed by December 31, 2001. The program will be implemented no later than January 1, 2002 and run through April 30<sup>th</sup>, 2002. The pilot program will provide spaying and neutering of pets to low income residents of the state.

An advisory committee of three individuals will be appointed to oversee the pilot program and provide an evaluation of the program to the Governor and Joint Finance Committee by May 15<sup>th</sup>, 2002. The Director of the Division of Fish and Wildlife shall appoint the members to the Advisory Committee and the Secretary of the Department of Natural Resources and Environmental Control will confirm those appointments.



1           Section 256. Section 1 of this Act appropriates \$81.5 in Personnel Costs and 2.0 FTEs to the  
2 Office of the Secretary (40-01-01) for the implementation of Senate Substitute 1 to Senate Bill 33 -  
3 Community Right to Know. Section 1 of this Act also appropriates \$\$3.9 for contractual services and  
4 \$6.7 for supplies and materials. This appropriation and positions are subject to enactment of Senate  
5 Substitute 1 to Senate Bill 33 of the 141<sup>st</sup> General Assembly, or similar legislation relating to the  
6 implementation of Community Right to Know. If this bill or similar legislation, is not enacted these  
7 appropriations shall revert to the General Fund.

8  
9           Section 257. Section 1 of this Act provides an appropriation to Department of Natural Resources  
10 and Environmental Control. Within that appropriation the Department of Natural Resources and  
11 Environmental Control is directed to develop and implement an “Adopt A Shoreline Program”, similar in  
12 structure to the Department of Transportation’s “Adopt a Highway Program”.

13  
14           Section 258. Section One of this Act makes an appropriation to the Department of Natural  
15 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
16 Environmental Control is directed to pay \$20.4 to the New Castle Conservation District for the rental of  
17 office space, storage facility, and garage for the Mosquito Control Section.

18  
19           Section 259. Section 1 of this Act appropriates funds to support a position within the Department  
20 of Natural Resources and Environmental Control, Air and Waste Management, Management and Support  
21 - Air and Waste Section (40-09-01). This position is an Environmental Engineer II/IV and assigned to the  
22 Delaware City Petro Chemical Complex. This position will respond to and provide follow-up on  
23 complaints from the community on air quality throughout New Castle County. The position incumbent  
24 shall submit an annual report to the Joint Finance Committee on February 1 of each year which  
25 summarizes the complaints and activities of the previous calendar year.

26

1           Section 260. Prior to all new land acquisitions the Department of Natural Resources and  
2 Environmental Control will be required to provide cost estimates to the Joint Finance Committee. The  
3 cost estimates will include estimates to develop infrastructure, maintenance and the number of positions  
4 needed to maintain the land and the associated personnel costs.

5  
6           Section 261. The Title V Operating Permit Program ASF holding account in Air and Waste  
7 Management, Air Quality Management (40-09-02) shall be interest earning for the duration of the  
8 program.

9  
10          Section 262. Any expenditure or transfer of Penalty Fund Revenues must be approved by the  
11 State Budget Director and the Controller General. The department shall submit quarterly reports on the  
12 progress of the expenditures and/or projects. All expenditures must be recommended by the department  
13 and approved by the Secretary. All penalty funds will be deposited in the Penalty Fund Account. All of  
14 the penalty fund expenditures made by the Department of Natural Resources and Environmental Control  
15 in Fiscal Year 2002 shall be reported to the Joint Finance Committee in the department's  
16 Fiscal Year 2003 budget presentation. Included in this presentation shall be an explanation of the process  
17 used to select the recipients of Penalty Fund money.

18  
19          Section 263. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

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

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

5  
6 Section 264. Section 1 of this Act appropriates \$4,212.2 to the Department of Natural Resources,  
7 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$65.0 shall be used to  
8 fund casual/seasonal positions for Killens Pond Waterpark and \$23.5 shall be used for program services  
9 and contractual services at the Bellevue State Park system.

10  
11 Section 265. The budget complement of the Department of Natural Resources and  
12 Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 Analytic  
13 Chemist FTEs, position numbers BP #58598 and BP #8339. When one of these positions becomes  
14 vacant, it shall be converted to ASF immediately. The remaining position shall not be converted.

15  
16 Section 266. Section 1 of the Act appropriates \$4,238.7 to the Department of Natural Resources  
17 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).  
18 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

19  
20 Section 267. Section 1 of this Act appropriates \$514.7 to the Department of Natural Resources  
21 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that  
22 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0  
23 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

24  
25 Section 268. Section 1 of this Act appropriates \$501.9 to the Department of Natural Resources  
26 and Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0  
27 and 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,

1 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based  
2 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

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

14  
15 Section 269. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District  
16 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field  
17 staff personnel for the preparation of nutrient management plans.

18  
19 Section 270. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
20 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
21 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
22 abandoned underground storage tank (UST) systems. These USTs shall include those where the  
23 responsible parties have shown to the satisfaction of the Department of Natural Resources and  
24 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and  
25 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery  
26 of the funds expended under the HSCA fund.

1           Section 271. For Fiscal Year 2002, Fish and Wildlife is authorized to expend funds carried  
2 forward from the sale of boat registration fees during Fiscal Year 2000 for the purpose of supporting  
3 fisheries programs and marine enforcement.  
4

5           Section 272. Section 1 of this Act makes an appropriation to the Department of Natural  
6 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
7 (40-08-01). Of the total appropriation, \$120.0 will pass through the department to fund the  
8 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
9 Funding is to be used to provide training for state and local water and wastewater operators.  
10

11           Section 273. 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 7  
14 Del. C. c. 60.

15           Section 274. 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  
20

21           Section 275. Section 1 of this Act makes an appropriation for contractual services to Department  
22 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-  
23 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.  
24

25           Section 276. Section 1 of this Act makes an appropriation of \$30.0 in Contractual Services to the  
26 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife

- 1 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
- 2 the inland bays.

# PUBLIC SAFETY

1  
2       Section 277. The Department of Public Safety is hereby authorized to continue the agreement  
3 between State Police (45-06-00) and Sussex County Council to provide up to 15 additional patrol officers  
4 in Sussex County.

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

9  
10       Section 278. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01).  
11 Included in this amount are funds for implementation of a Career Development Program. Any adjustment  
12 received under this program will be added to base compensation and will be included to determine  
13 retirement benefits.

14  
15       Section 279. State Police receives funds resulting from drug and other seizure activities. If  
16 seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-  
17 06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these  
18 funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A  
19 quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the  
20 Budget Director and the Controller General.

21  
22       Section 280. In addition to the positions authorized in Section 1 of this Act for State Police (45-  
23 06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training  
24 State Police recruits. During recruit training, up to 20 positions will be made available to accommodate  
25 the class being trained. Funding is authorized for initial use of these positions to accommodate an

1 anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit  
2 positions accordingly.

3  
4 Section 281. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the  
5 contrary, the Department of Public Safety is authorized to enter into agreements with private  
6 telecommunications companies to use space for communication facilities on telecommunications towers  
7 under their administration. The revenues paid to the State under these agreements shall be designated for  
8 use by State Police in support of mobile data computing telecommunications infrastructure cost, effective  
9 retroactively.

10  
11 Section 282. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
12 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
13 2002. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

14  
15 Section 283. Section 1 of this Act provides \$85.9 and 3.0 Physical Plant Maintenance/Trades  
16 Mechanic I FTEs to the Department of Public Safety, State Police, Building Maintenance and  
17 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and  
18 Troop 6.

19  
20 Section 284. Section 1 of this Act provides \$100.0 in Appropriated Special Funds to the  
21 Department of Public Safety, Division of Motor Vehicles, Vehicle Services (45-07-20) for the purpose of  
22 implementing on-board diagnostic testing statewide, including, but not limited to, the training of staff.



# TRANSPORTATION

1  
2       Section 285. All state agencies are directed to remit payment for services rendered by the  
3 Department of Transportation within (30) days after receipt of invoice. Services may include fuel billing,  
4 sign manufacturing, photocopies, specialized transit services, etc. Partial payments or estimated  
5 payments will not be permitted.

6  
7       Section 286. The department shall provide a quarterly report of potential liabilities and  
8 expenditures from the Environmental Contingency account to the Office of Controller General and the  
9 Budget Office.

10  
11       Section 287. The Delaware Transportation Authority budget, as set forth in memorandum form  
12 in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

25       (e) Funds of the Delaware Transit Corporation may not be provided as aids to local governments  
26 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  
12 Section 288. Section 1 of this Act appropriates \$828.5 to the Division of Financial Management  
13 and Budget (55-01-02) for Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime  
14 Exchange for the Delaware River and Bay.

15  
16 Section 289. Section 1 of this Act makes an appropriation of \$571.9 to the Division of Planning  
17 (55-03-01) for Operations/Capital.

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

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

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

3  
4 Section 290. The Office of Information Services shall bill the Department of Transportation,  
5 Division of Administration (55-02-01) on an actual usage basis.

6  
7 Section 291. Section 1 of this Act provides an appropriation to the Division of Highway  
8 Operations (55-04-00). Of this appropriation, \$2,594.2 shall be used to implement the National Pollutant  
9 Discharge Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the  
10 Budget Director and the Controller General on the status of the implementation of NPDES and provide  
11 associated cost projections for the remainder of the fiscal year. The Secretary of Transportation shall also  
12 report to the Budget Director and the Controller General upon final settlement of the related Consent  
13 Decree between the Department of Transportation and its co-defendants; and U.S. Environmental  
14 Protection Agency and U.S. Department of Justice, including a summary of settlement terms and  
15 applicable fines.

16  
17 Section 292. Section 1 of this Act authorizes disbursement of \$1,674.0 in Transportation Trust  
18 Funds for Debt Service, General Obligation.

19  
20 Section 293. Section 1 of this Act makes various appropriations from the Transportation Trust  
21 Fund for all transportation-related operations.

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

25 (b) The department shall provide a list of operating appropriations to be continued into the next  
26 fiscal year to include the following: 1) unprogrammed appropriations from prior years, and 2)

1 unencumbered or unprogrammed appropriations from the immediately preceding fiscal year. The list  
 2 shall be comprised of the accounting code, fiscal year and program description for each appropriation to  
 3 be continued. The department may request additional authority, on a project by project basis, during the  
 4 fiscal year. Such requests shall be submitted to the Budget Director and Controller General for approval.

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

<b><u>Fiscal Year Appropriation</u></b>	<b><u>Account Code</u></b>	<b><u>Remarks</u></b>
2000/01	(55-01-01-68-00)	Operations/Capital
2001	(55-01-01-68-05)	Salary Contingency
1999/2001	(55-01-01-68-06)	Environmental Contingency
2001	(55-01-01-68-15)	Personnel Costs
1997/00/01	(55-01-02-68-00)	Operations/Capital
2001	(55-01-02-68-05)	EZ-Pass Liability
2001	(55-01-02-68-15)	Personnel Costs
2000/01	(55-01-03-68-00)	Operations/Capital
2001	(55-01-03-68-15)	Personnel Costs
2001	(55-02-01-68-01)	Travel
1999/00/01	(55-02-01-68-02)	Contractual/Supplies
2000/01	(55-02-01-68-03)	Energy
2000/01	(55-02-01-68-04)	Capital Outlay
2001	(55-02-01-68-15)	Personnel Costs
1998/99/00/01	(55-03-01-68-00)	Operations/Capital
2001	(55-03-01-68-15)	Personnel Costs
2000/01	(55-04-01-68-00)	Operations/Capital
2001	(55-04-01-68-15)	Personnel Costs
2001	(55-04-40-68-00)	Personnel Costs

2001	(55-04-40-68-15)	Personnel Costs
1997/00/01	(55-04-50-68-02)	Contractual/Supplies
2000/01	(55-04-50-68-03)	Energy
2000/01	(55-04-50-68-04)	Capital Outlay
2001	(55-04-50-68-15)	Personnel Costs
1999/00/01	(55-04-60-68-00)	Operations/Capital
2001	(55-04-60-68-15)	Personnel Costs
1999/00/01	(55-04-70-68-02)	Contractual/Supplies
2000/01	(55-04-70-68-03)	Energy
2000/01	(55-04-70-68-04)	Capital Outlay
2001	(55-04-70-68-05)	Storm Contingency
2001	(55-04-70-68-15)	Personnel Costs
2000	(55-04-80-68-00)	Operations/Capital
1997	(55-04-90-68-00)	Operations/Capital
2000/01	(55-04-90-68-01)	Travel
2000/01	(55-04-90-68-02)	Contractual/Supplies
2000/01	(55-04-90-68-03)	Energy
2000/01	(55-04-90-68-04)	Capital Outlay
2001	(55-04-90-68-15)	Personnel Costs
2001	(55-06-01-85-70)	Transit Administration
2001	(55-06-01-85-71)	Transit Ops Plng/Cust Serv
1998/99/00/01	(55-06-01-85-72)	Transit Operations
1987	(55-06-01-85-80)	DTA Operations
2001	(55-06-01-85-81)	Newark Transportation
2001	(55-06-01-85-83)	Kent & Sussex

2001	(55-06-01-85-89)	Taxi Service
2000/01	(55-07-10-68-00)	Operations/Capital
2001	(55-07-10-68-15)	Personnel Costs

1

2       Section 294. Section I of this Act makes an appropriation in the amount of \$41,507.3 to the  
3 Division of Highway Operations, Maintenance Districts (55-04-70) and \$7,361.9 to the Division of  
4 Highway Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve  
5 Funds is authorized at \$910.6.

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

Line Item	Toll Operations		Maintenance	Total All
	I-95	SR-1		
Personnel Costs	2,624.9	2,285.5	3,770.6	8,681.0
Travel	26.0	0.0	0.0	26.0
Contractual/Supplies	1,112.0	792.7	1,839.2	3,743.9
Energy	114.8	315.0	279.8	709.6
Capital Outlay	91.0	0.0	66.0	157.0
<b>TOTALS</b>	<b>3,968.7</b>	<b>3,393.2</b>	<b>5,955.6</b>	<b>13,317.5</b>
<b>FTE's</b>	<b>67.0</b>	<b>64.0</b>	<b>86.0</b>	<b>217.0</b>

7

8       Section 295. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)  
9 for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.

10

11       Section 296. Section 1 of this Act makes various appropriations from the Transportation Trust  
12 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules  
13 notwithstanding, the State Personnel Office, the State Budget Director and the Controller General support  
14 the Department of Transportation’s (“Department”) efforts to develop and implement two pilot programs  
15 to provide employee incentives designed to acknowledge outstanding performance and to achieve a net  
16 reduction in costs to the Department.

1 The pilot programs, Shared Savings Program and Quality Service Award Program, shall have  
2 oversight by a committee comprised of the Secretary of Transportation, State Budget Director, Director of  
3 State Personnel, State Controller General, a Representative of Council 81 AFL-CIO, a Representative of  
4 the Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American Arbitration  
5 Association. Guidelines for both pilot programs shall be developed by the Department for approval by  
6 the Committee. Analytical assistance shall be provided by staffs of the Division of Financial,  
7 Management and Budget, State Budget Office and Controller General's Office.

8 Annual savings realized as a result of proposals implemented under the Shared Savings Program  
9 shall be distributed as follows: 50% distributed at a per capita rate to all permanent full-time and  
10 permanent part-time Department employees and 50% to the Transportation Trust Fund.

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

16 Shared savings proposals must be submitted to the Director, Office of Financial Management and  
17 Budget by October 1, 2001. Implementation of savings proposals will commence July 1, 2002 for FY  
18 2003. Upon the conclusion of FY 2003, the Oversight Committee shall assess the proposals with respect  
19 to their actual savings and will distribute associated Shared Savings Awards December 1, 2003.

20  
21 Section 297. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
22 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
23 citations or the suspension of E-ZPass privileges.

24  
25 Section 298. Section 1 of this Act appropriates funds to the Delaware Transit Corporation for  
26 Kent and Sussex Transportation "E & H" which includes funding for the Sussex County Reimbursable  
27 Program. To improve the operation of this program, the following provisions shall be implemented:

- 1           1) Sussex County Council, on behalf of the eligible transportation providers, shall submit annual  
2           operating budget requests to the Delaware Transit Corporation by October 1 of each year; and  
3           2) Delaware Transit Corporation shall by April 1 distribute proposed contracts to each of the  
4           eligible transportation providers for transportation services commencing the ensuing July 1.  
5           Said contracts shall be subject to an annual appropriation for such purpose.

6  
7           Section 299. Section 1 of this Act makes an appropriation to Division of Highway Operations,  
8           Maintenance Districts (55-04-70) in the amount of \$3,041.0 to establish a Special Line called  
9           Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
10          Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the  
11          end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to  
12          current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
13          divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to  
14          municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
15          department and the municipality to keep transit routes open during snow and storm emergencies. The  
16          transfer of funds from this account shall not require the approval of the Budget Director or the Controller  
17          General. The department must provide a semi-annual expenditure report on or before May 1 and  
18          November 1 of each fiscal year.

19  
20          Section 300. In addition to the positions authorized in Section 1 of this Act for the Department of  
21          Transportation, Office of the Secretary (55-01-00), additional positions are authorized in Delaware  
22          Transportation Authority (55-06-01) for the purpose of information technology support. As remaining  
23          positions for the purpose of information technology support become vacant, up to 4.0 FTEs and  
24          associated funding from the Delaware Transportation Authority may be reallocated to continue the  
25          centralization of the information technology function within the Office of the Secretary. The Budget  
26          Director and Controller General may authorize this reallocation accordingly.



1           Section 301. During Fiscal Year 2002, the Department of Transportation shall be prohibited from  
2 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
3 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
4 installation of the access pipe.

**LABOR**

Section 302. 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 303. (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 program commencing July 1, 2001. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2002, on or about June 15, 2002. 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 households whose income does not  
2 exceed 200 percent of household poverty. Notwithstanding income limits provided for participation in  
3 the State Summer Youth Employment Program, consideration may be given to other applicants at a ratio  
4 of at least eight applicants qualified on income to three applicants considered beyond the income limits.

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

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

10 The sponsoring agent shall provide one work leader for each 20 youths employed in the program  
11 to supervise and monitor the attendance and work performance of the youths selected for the program.  
12 Work leaders shall be paid the minimum wage and shall work no longer than eight hours per day, five  
13 days per week.

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

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

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

24  
25 Section 304. Section 1 of this Act provides an appropriation of \$407.8 in Contractual Services to  
26 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit

1 professional apprenticeship and training program for young Delawareans ages 18-30. The training and  
2 apprenticeships shall include leadership skills, team building, problem solving and community issues.  
3

# AGRICULTURE

1  
2       Section 305. Section 1 of this Act appropriates \$938.1 in ASF to the Harness Racing  
3 Commission and \$770.8 in ASF to the Thoroughbred Racing Commission, respectively, for operational  
4 expenses. Each Commission's revenues, derived from fees, fines and licenses, shall be used to cover their  
5 respective operational expenditures. Should revenues be insufficient to cover the operational costs of  
6 either Commission, funds may be transferred from State Lottery revenues 29 Del. C. § 4815 to cover such  
7 shortfalls with the concurrence of the Budget Director and the Controller General.

8  
9       Section 306. Section 1 of this Act includes ASF funding and ASF position authorizations in the  
10 Department of Agriculture, Harness Racing Commission (65-01-05). Three of these positions shall be  
11 used for the State Steward, the Presiding Judge and one Associate Judge. These positions shall be exempt  
12 from the classified service as provided in 29 Del. C. c. 59. The compensation for these positions shall be  
13 determined by the Harness Racing Commission. Persons appointed by the Commission to fill these  
14 positions shall be eligible for membership in the State Pension Plan, for coverage under the life and health  
15 insurance programs for State employees, and for worker's compensation benefits as State employees, but,  
16 because of the nature of these positions, they shall not be eligible for annual leave, sick leave or  
17 compensatory time.

18  
19       Section 307. Section 1 of this Act includes ASF funding and ASF position authorizations in the  
20 Department of Agriculture, Thoroughbred Racing Commission (65-01-10). Three of these positions shall  
21 be used for the Racing Stewards. These positions shall be exempt from the classified service as provided  
22 in 29 Del. C. c. 59. The compensation for these positions shall be determined by the Thoroughbred  
23 Racing Commission. Persons appointed by the Commission to fill these positions shall be eligible for  
24 membership in the State Pension Plan, for coverage under the life and health insurance programs for State  
25 employees, and for worker's compensation benefits as State employees, but, because of the nature of these  
26 positions, they shall not be eligible for annual leave, sick leave or compensatory time.

1  
2       Section 308. Section 1 of this Act makes an appropriation to the Nutrient Transport program.  
3 These funds are appropriated to support projects that transport poultry and animal waste, including litter,  
4 for alternative use projects and for transporting the poultry and animal waste to cropland showing a need  
5 for these nutrients as indicated by a nutrient management plan. Of this appropriation, \$100.0 shall be  
6 used for projects that will remove the nutrients from Delaware and the remainder shall be used for farm to  
7 farm relocation within Delaware. Reimbursement of transportation shall not exceed \$20 per ton of  
8 poultry or non-poultry waste. The program shall be developed and implemented by the Delaware  
9 Department of Agriculture according to the guidelines established by the Delaware Nutrient Management  
10 Commission as provided for under 3 Del. C. § 2220(a)(4). The Delaware Nutrient Management  
11 Commission shall provide a report to the Controller General and the Budget Director on the expenditure  
12 of these funds on or before December 1, 2001.

13  
14       Section 309. Amend 3 Del. C. § 10101(a) by deleting the number “4” as it appears therein and  
15 substituting in lieu thereof the number “5”. Further amend Section 10101 (b) by striking the number “2”  
16 as it appears in the first sentence of said subsection and substituting in lieu thereof the number “3” and  
17 deleting the second sentence and substituting in lieu thereof “One Commissioner shall be appointed from  
18 each county of the State and shall be a bona fide resident of the county for which appointed.”

19  
20       Section 310. Section 1 of this Act makes an appropriation to the Nutrient Management  
21 Contingency. These funds may be used for the sole purpose of nutrient relocation and/or nutrient  
22 management planning.

23  
24       Section 311. Section 1 of this Act makes an appropriation to the Department of Agriculture,  
25 Nutrient Management Section (65-01-12) for Nutrient Transport to be used according to the guidelines  
26 established by the Nutrient Management Commission as provided for under 3 Del. C. § 2220(a)(4).

# ELECTIONS

1  
2       Section 312. While conducting an election or referendum for any Public School district, the  
3 district may not charge rent or custodial fees associated with the use of its space. For the clarification of  
4 County Department of Elections costs relating to public school district elections, Smyrna School District  
5 and Milford School District elections will be conducted by Kent County Department of Elections;  
6 Woodbridge School District elections will be conducted by Sussex County Department of Elections.

7  
8       Section 313. The Department of Elections may indemnify and hold harmless any U.S.  
9 Government entity for claims of damages arising from the State of Delaware contracting with said entity  
10 for the purposes of using their facility as a polling place to conduct elections. Furthermore, the State of  
11 Delaware shall purchase insurance against said claims of damage to protect against such claims and  
12 indemnify the U.S. Government.

13  
14       Section 314. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,  
15 referenda and bond issue elections to the Department of Elections, should this law be funded by the  
16 General Assembly.

17       Funding included in Section 1 of this Act provides an appropriation to the Department of  
18 Elections, Commissioner of Elections (70-01-01) in the amount of \$380.0, which includes all costs for  
19 transporting voting machines used in all public school elections.

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

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

3  
4           Section 315. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
5 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
6 statewide efforts to maintain the voter rolls in an orderly manner.

7  
8           Section 316. For purposes of designating and procuring polling places for primary, general and  
9 special elections, the respective county department of elections shall pay a rental fee totaling \$.2 for each  
10 facility used, no matter how many election districts are assigned to that facility.

11  
12           Section 317. Notwithstanding any other provisions of Title 15, Delaware Code, the  
13 Commissioner of Elections may develop standards and operating procedures for the purpose of having a  
14 statewide uniform election system. These standards shall be directed toward ensuring consistency in the  
15 redistricting process, the use of technology and the conduct of general, primary special and school  
16 elections. The Commissioner of Elections shall consult with the respective county departments of  
17 elections in developing these standards.

18



# FIRE PREVENTION

1  
2       Section 318. During the first six months of Fiscal Year 2002, the State Fire School may borrow  
3 a sum not greater than \$50.0 ASF from the State Fire Marshal's Office available Appropriated Special  
4 Fund revenues. This will permit the State Fire School to operate during the beginning of the fiscal year  
5 when its revenue balance is low. The State Fire School shall repay the borrowed amount as revenues  
6 allow, but must fully reimburse the State Fire Marshal's Office by June 30, 2002.

7  
8       Section 319. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire  
9 Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to  
10 be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the  
11 purpose of operating a Statewide Fire Safety Education Program.

12  
13       Section 320. The Grant in Aid and General Fund monies previously appropriated for EMT-B  
14 training will be continued and transferred to the State Fire School (75-01-02) and placed in a new line for  
15 EMT B training in Fiscal Years 2002 and 2003. The State Fire School will continue to reimburse  
16 volunteer fire companies for EMT B training until January 1, 2002. No fire companies will be eligible for  
17 reimbursement after that date.

18  
19       Section 321. The Office of the Controller General and the Budget Office will review the Basic  
20 Life Support (BLS) Supplemental Funding report submitted by BLS Funding Task Force as per House  
21 Joint Resolution 37 of the 140<sup>th</sup> General Assembly. The Controller General and the Budget Director shall  
22 develop recommendations for a proposed funding methodology which will reward effective performance  
23 and operational management as measured in response time compliance with the goals set forth in HB 332  
24 of the 140<sup>th</sup> General Assembly. The Controller General and the Budget Director will submit  
25 recommendations to the Joint Finance Committee by February 1, 2002.

26

1           Section 322. Of the funds appropriated in Section 1 of this Act to the Fire Prevention  
2 Commission (75-03-01) in the line item Contingency - Extraordinary Expenses, an amount not to exceed  
3 \$20.0 may be used to reimburse volunteer fire companies which incur extraordinary expenses. These  
4 funds may be disbursed to volunteer fire companies only for extraordinary expenses at the discretion of  
5 the Fire Prevention Commission upon the request of a volunteer fire company. An extraordinary expense  
6 under the provisions of this Act shall be defined as those expenses for which a volunteer fire company  
7 would not normally prepare for in its company budget and are not covered by said company's own private  
8 insurance.

9

10           Section 323. Section 1 of this Act appropriates \$5.0 to the Office of the State Fire Marshal (75-  
11 01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter  
12 Intervention Program.

# NATIONAL GUARD

1

2

Section 324. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

6

7

Section 325. Section 1 of this Act provides an appropriation of to the Delaware National Guard (76-01-01), for educational assistance. For Fiscal Year 2002, the National Guard shall not be required to pay fees.

10

# HIGHER EDUCATION

Section 326. (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(6). 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 MCI/Equipment. These funds shall not be subject to reversion until June 30, 2004.

Section 327. Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

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

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Agricultural Programs:

Agricultural Experimental Station	\$ 642.2
Agricultural Cooperative Extension	898.5
Agricultural Research and Education Center	373.6
Poultry Disease Research	550.2
Crop Extension	277.3
Agricultural Environmental Quality	181.8
Soil Testing and Pesticide Control	312.3
Diagnostic Poultry Program	<u>140.0</u>
Total	\$3,375.9

Other Programs:

Sea Grant	\$ 496.7
Urban Agent Program	120.4
Public Service and Applied Research Projects	480.6
Minority Recruitment	260.3
Local Government Research and Assistance	252.2
Graduate Education (Southern Delaware)	72.4
Library Automation	52.0
MALS/BALS - Southern Delaware	62.8
Nurse Practitioner	240.2
Science, Engineering and Technology Service Program	140.4
Molecular Biology/Biotechnology Program	446.7
Math/Science Education for DE Teachers	563.7
Advanced Materials	218.7
Center for Community Development and Family Policy	274.5

1	Training and Research (Educational Management)	106.4
2	Computer Aided Math Instruction	80.0
3	Advanced Electronics and Materials Initiative	639.9
4	Field Hockey Coach	32.4
5	Delaware Center for Teacher Education	316.2
6	Research on School Finance Issues	81.0
7	Delaware Education Research and Development Center	212.6
8	Delaware Research Scholars Program	150.0
9	Milford Professional Development School	106.2
10	Information Technology Partnership	2,318.1
11	ITV Technician	93.2
12	Core Content Teacher Education	283.7
13	Biotechnology	662.6
14	Computer Aided Instruction, Arts & Science	100.0
15	Clinical Instruction in Teacher Education	213.2
16	Early Childhood Education	101.8
17	Civics Education for Teachers	100.0
18	Biotechnology Institute	280.6
19	Software License Support	125.0
20	Assistant Women's Coaches	41.0
21	Study Abroad for Delaware Residents	<u>50.0</u>
22	Total	\$9,775.5

23

24 Section 328. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
25 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0  
26 Agricultural Extension Agents in New Castle County, 3.0 Agents in Kent County and 2.5 Agents in

1 Sussex County. Additional funding is provided for 1.0 Agricultural Extension Engineer for the  
2 Agricultural Cooperative Extension Program.

3  
4 Section 329. Section 1 of this Act provides an appropriation to the University of Delaware for the  
5 Milford Professional Development School. The University and the Milford School District shall submit  
6 to the Controller General and the Budget Director, by March 1, 2002, a joint report detailing the  
7 implementation status of this program as it relates to the appropriation herein.

8  
9 Section 330. Section 1 of this Act appropriates \$163.5 to Delaware State University (90-03-00)  
10 for the establishment of an Early Childhood Montessori Teacher Training Program in Wilmington. The  
11 University shall submit to the Controller General and the Budget Director, by September 1, 2001, a report  
12 detailing the progress of this program.

13  
14 Section 331. Section 1 of this Act makes an appropriation to Delaware State University,  
15 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
16 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
17 sciences and \$200.0 shall be for scholarships to attract high ability students into the teaching program;  
18 and \$100.0 shall be for scholarships for female athletes.

19  
20 Section 332. For the fiscal year covered by this Act, in order to continue the assessment of  
21 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
22 as a result of processing accounting transaction data into two independent accounting systems, the Budget  
23 Director has authorized Delaware State University to:

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

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

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

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

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

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

20  
21 Section 333. Section 1 of this Act provides funds for Delaware State University, Operations (90-  
22 03-01), MCI/Equipment. These funds shall not be subject to reversion until June 30, 2004.

23  
24 Section 334. Section 1 of this Act provides an appropriation to Delaware Technical and  
25 Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel  
26 Program - Academic. This appropriation is to assist in the provision of the Delaware  
27 Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions



1 under a contract initiated by Delaware Technical and Community College. Under this contract, the  
 2 University of Delaware will teach students at Delaware Technical and Community College's facilities.  
 3 Future budget requests will be made jointly by Delaware Technical and Community College and the  
 4 University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of  
 5 tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant  
 6 service and after the institutions have reached an agreement for tuition sharing. Representatives from  
 7 both institutions will meet at least once each semester to review program operations.

8  
 9 Section 335. Section 1 of this Act provides funds for Delaware Technical and Community  
 10 College (90-04-00) for MCI/Equipment. This appropriation may be utilized for the acquisition of  
 11 computer hardware and software. These funds shall not be subject to reversion until June 30, 2004.

12  
 13 Section 336. Amend 14 Del. C. c. 92 § 9219(g)(2) by striking the period after the word  
 14 “College” and inserting in lieu thereof

15 "ADMINISTRATIVE RESPONSIBILITY INDEX SCHEDULE

16		Years in Level	Index
17	Level 1	0	4%
18		1	5%
19		2	6%
20		3	7%
21		4	8%
22	Level 2	0	9%
23		1	10%
24		2	11%
25		3	12%
26	Level 3	0	26%
27		1	28%
28	Level 4		37%
29	Level 5		55%"

30

1           Section 337. Section 1 of this Act contains an appropriation of \$199.0 for the Delaware Institute  
2 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
3 relating to the DIVME Program, these funds shall be used to provide tuition support for up to six  
4 Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine. These  
5 funds may also be used for assistance of up to four-Delaware residents accepted to a veterinary medicine  
6 program at the University of Georgia and up to two Delaware residents accepted to a veterinary medicine  
7 program at Oklahoma State University.

8

# EDUCATION

1  
2       Section 338. At the end of Fiscal Year 2001, all Division II – All Other Costs (Appropriation  
3 0165), Division II – All Other Costs for Vocational Education (Appropriation 0265), Division II – Energy  
4 (Appropriation 0159), Division III – Equalization Funds (Appropriation 0186) and Education Expense  
5 and Property Tax Relief Funds (Appropriation 0287) shall become a continuing appropriation in each  
6 local school district for the period of one fiscal year.

7  
8       Section 339. For Fiscal Year 2002, employees who have been issued a temporary certificate for a  
9 third or fourth year due to failure to pass Praxis I shall continue to receive a 10 percent salary reduction.  
10 Employees currently on a temporary certificate as a result of being assigned to an area outside the area of  
11 certification shall not receive a 10 percent salary reduction.

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

18  
19       Section 340. Section 1 of this Act makes an appropriation to Office of the Budget Contingencies  
20 and One-Time Items (10-02-04) for One-Time Appropriations. Of this amount, \$280.0 shall be used for  
21 School Library Resources per the provisions of Senate Bill No. 133 of the 141<sup>st</sup> General Assembly or  
22 similar legislation. If this bill or similar legislation is not enacted, the appropriation shall revert to the  
23 General Fund.

24  
25       Section 341. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF position  
26 to the State Board of Education and State Board for Vocational Education and Department of Education

1 (95-01-01) for the Delaware Secondary School Athletic Fund. The Department of Education with the  
2 consent of the Delaware Secondary School Athletic Association shall transfer pre-existing funds and CD  
3 accounts upon maturity into the Delaware Secondary School Athletic Fund. Once existing Association  
4 accounts have been transferred to the Delaware Secondary School Athletic Fund, the association shall not  
5 operate any accounts outside of the State accounting system.

6 Funds shall be utilized to support the activities and operations of Delaware interscholastic  
7 athletics. During Fiscal Year 2002, expenditures of funds from the Delaware Secondary School Athletic  
8 Fund will be in accordance with the Division of Accounting budget and accounting procedures.

9  
10 Section 342. Amend 14 Del. C. § 1706 by adding to the end of the second paragraph the  
11 following:

12 "Such waiver requests must be submitted to the Secretary of Education by November 15<sup>th</sup> of each  
13 year. The Secretary of Education shall notify the local school districts as to the disposition of the waiver  
14 request no later than January 3<sup>rd</sup> of the following year."

15  
16 Section 343. The Department of Education and the Office of Information Systems, with  
17 cooperation from the Delaware Emergency Management Agency and the Office of Legislative Council,  
18 shall establish a web site capable of e-mail notification of parents and other interested parties of school  
19 closings, delays and early dismissals due to inclement weather. This web site shall be operational by  
20 September 1, 2001.

21  
22 Section 344. Amend 14 Del. C. § 1305 (g) by deleting the number "189" as it appears therein and  
23 substituting in lieu thereof the number "188".

24  
25 Section 345. Amend 14 Del. C. § 1305 (g) (3) by deleting the number "7" as it appears therein  
26 and substituting in lieu thereof the number "6".

1           Section 346. Amend 14 Del. C. § 1318 (g) by deleting the fractions “1/189” and “1/208” as they  
2 appear therein and substituting in lieu thereof the fractions “1/188” and “1/207”, respectively.

3  
4           Section 347. Amend 14 Del. C. § 1318A (b) (10) by deleting the numbers “189” and “208” as  
5 they appear therein and substituting in lieu thereof the numbers “188” and “207”, respectively.

6  
7           Section 348. Amend 14 Del. C. § 1320 by deleting the fractions “1/189” and “1/208” as they  
8 appear therein and substituting in lieu thereof the fractions “1/188” and “1/207”.

9  
10          Section 349. For any section in the Delaware Code that makes reference to the annual work year  
11 for teachers in terms of days, such reference can be converted to equivalent hours as follows:

12                           188 Regular Days x 7.5 hours    1,410.0 hours

13  
14          Section 350. 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	188
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

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

1           Section 351. (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  
14           Section 352. Amend 14 Del. C. § 8902 by inserting after the first sentence the following: “One  
15 teacher of the year may be selected to represent all of the charter schools in the state.”

16  
17           Section 353. The Department of Education shall continue to provide funding through its  
18 discretionary federal special education funds for a portion of the education costs associated with prison  
19 inmates aged 18 to 21 years, who qualify as special education students.

20  
21           Section 354. The Department of Education shall continue to work towards the implementation of  
22 school-level financial data during Fiscal Year 2002. Due to the State’s movement from the DFMS to  
23 ASAP, the Department shall work with the Department of Finance in the design of the new accounting  
24 system.

1           Section 355. For Fiscal Year 2002, the inflation factor for the local per pupil payments required  
2 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per  
3 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),  
4 shall be 2.0 percent.

5  
6           Section 356. Any course offered at a Vocational Technical high school may be offered in the  
7 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
8 Secretary of Education.

9  
10           Section 357. Amend 14 Del. C. 1703(j) by deleting the section in its entirety and substituting in  
11 lieu thereof the following:

12           “(j) Effective for Fiscal Year beginning July 1, 2001, each public high school may hire an  
13 occupational-vocational teacher for an additional 15 days for participation in program development and  
14 oversight of summer vocational-occupational cooperative programs. Commencing in FY 2002, these  
15 teachers shall be entitled to payment of the state share of salaries at the rate of 1/188 of their entitlement  
16 for a full school year multiplied by the number of days employed. Commencing in FY 2003 and beyond,  
17 these teachers shall be entitled to payment of the state share of salaries at the rate of 1/190 of their  
18 entitlement for a school year multiplied by the number of days employed.”

19  
20           Section 358. Section 1 of this Act makes an appropriation to Public Education, State Board of  
21 Education and State Board for Vocational Education and Department of Education, State Board of  
22 Education and Department of Education (95-01-01) for Educator Certification and Development  
23 activities. This appropriation to the Department of Education is intended to offset expenditures in the  
24 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;  
25 revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;  
26 professional recertification and expanding the Alternative Route to Teacher Certification program.

1           Section 359. Section 1 of this Act provides an appropriation of \$529.5 to Public Education, State  
2 Board of Education and State Board for Vocational Education and Department of Education, State Board  
3 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the  
4 Standards and Assessment program agenda is to support the development and completion of performance  
5 indicators.

6  
7           Section 360. Section 1 of this Act makes an appropriation of \$40.0 to Public Education, State  
8 Board of Education and State Board for Vocational Education and Department of Education, State Board  
9 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall  
10 be made available to school students to assist in defraying out-of-state travel expenses associated with this  
11 program.

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13           Section 361. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State  
14 Board of Education and State Board for Vocational Education and Department of Education, State Board  
15 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0  
16 shall be used by the Department of Education to review and award grants competitively to schools with  
17 grades kindergarten through eighth grade. Programs selected shall provided at-risk children with  
18 academic tutoring and instruction, with the involvement of parents and volunteer mentors. School  
19 districts shall make direct application to the department on behalf of individual school buildings,  
20 addressing in their proposal the following: (a) one on one tutoring for academically at-risk students; (b)  
21 early childhood preventive intervention strategies; (c) adherence to academic standards as adopted by the  
22 State Board of Education; (d) parental involvement; and (e) provision of program evaluation and  
23 performance evaluation. Local schools are encouraged to utilize such programs for students during non-  
24 core academic class time. Grant awards for individual schools, of no more then \$30,000 each, shall be  
25 determined by the department no later than November 30, 2001, and funds shall be allocated by  
26 December 31, 2001. The remaining \$150.0 may go to the University of Delaware for the Delaware  
27 Mentoring Council for technical assistance and professional development for mentors and other activities.



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Section 362. (a) It is the intent of the General Assembly that the sum of \$7,149.1 allocated in Section 1 of this Act be used for MCI/Annual Maintenance to school buildings. These funds shall not be subject to reversion until June 30, 2004.

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

<u>School District</u>	<u>Maximum State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
Appoquinimink	\$286,377	\$190,918	\$477,295
Brandywine	650,288	433,525	1,083,813
Special	8,485	0	8,485
Christina	1,173,533	782,355	1,955,888
Special	34,037	0	34,037
Colonial	615,412	410,275	1,025,687
Special	11,801	0	11,801
New Castle Vo-Tech	330,030	0	330,030
Red Clay	911,737	607,825	1,519,562
Special	13,069	0	13,069
Caesar Rodney	325,583	217,055	542,638
Special	18,140	0	18,140
Capital	363,033	242,022	605,055
Lake Forest	203,050	135,367	338,417
Milford	225,111	150,074	375,185
Polytech	109,132	0	109,132
Smyrna	199,247	132,831	332,078
Cape Henlopen	238,218	158,812	397,030

1	Special	13,849	0	13,849
2	Delmar	45,937	30,625	76,562
3	Indian River	435,476	290,317	725,793
4	Special	15,117	0	15,117
5	Laurel	122,708	81,805	204,513
6	Seaford	219,376	146,251	365,627
7	Sussex Vo-Tech	113,228	0	113,228
8	Woodbridge	107,084	71,389	178,473
9	East Side Charter	4,798	3,199	7,997
10	Campus Community	17,555	11,703	29,258
11	Wilmington Charter	46,930	31,287	78,217
12	Marion T. Academy	24,109	16,073	40,182
13	Thomas Edison	49,036	32,691	81,727
14	Sussex Academy	13,225	8,817	22,042
15	Positive Outcomes	4,389	2,926	7,315
16	Total to Schools	\$6,949,100	\$4,188,142	\$11,137,242
17	STATE BOARD OF EDUCATION	115,000	76,667	191,667
18	VOCATIONAL EQUIPMENT	<u>85,000</u>	<u>56,667</u>	<u>141,667</u>
19	TOTAL	\$7,149,100	\$4,321,476	\$11,470,576

20

21           Section 363. Section 1 of this Act appropriates \$1,300.0 to Public Education, State Board of  
22 Education and State Board for Vocational Education and Department of Education, State Board of  
23 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be  
24 used to support the development and implementation of automated systems to manage such activities as  
25 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills  
26 and knowledge supplements; the SREB Learning Connections project; and the accountability reporting  
27 system.

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Section 364. Section 1 of this Act appropriates \$2,120.0 to Public Education, State Board of Education and State Board for Vocational Education and Department of Education, State Board of Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be used to support the implementation of educator accountability initiatives such as skills and knowledge supplements; design and implementation of DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification system. Prior to expending any of these funds, an approved budget must be reviewed and approved by the Secretary of the Department of Education, the Budget Director, and the Controller General.

Section 365. Section 1 of this Act provides appropriations for Formula Salaries and 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 366. 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 367. 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 368. 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

5           Section 369. The Department of Education shall transfer \$100.0 to the Department of Public  
6 Safety, State Police to reimburse qualified applicants for the cost of criminal background checks for all  
7 school district employees on a first come, first served basis. State Police shall send quarterly reports to  
8 the Department of Education regarding expenditures of said funds.  
9

10          Section 370. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
11 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
12 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership  
13 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
14 challenging content and performance standards, have aligned assessments to those standards, have  
15 established a system of school and district accountability, and allow waiver of State statutory and  
16 regulatory requirements relating to education.

17          Upon federal approval of the Department of Education’s application for Ed Flex, the Department may  
18 waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility  
19 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
20 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
21 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.  
22 State programs for which waivers may be granted include, but are not limited to, extra time, school  
23 climate and discipline, academic excellence, early reading intervention, student mentoring, and  
24 professional and curriculum development.  
25

26          Section 371. The Delaware Code notwithstanding, during Fiscal Year 2002, the Budget Director  
27 is authorized to continue funding for issues such as, but not limited to, the number of administrative

1 positions and activity busing for which the State was required to provide funding as a result of a 1978  
2 federal court order. This authorization, as it relates to administrative positions, shall apply only to  
3 positions filled for employment, and shall not be considered as authorization to fund any cash options  
4 pursuant to 14 Del. C. c. 13.

5  
6 Section 372. Line Item funds appropriated in Section 1 of this Act to Public Education, School  
7 District Operations, Other Items (95-02-02) are to cover adjustments in the Appropriation Units of the  
8 State Board of Education and State Board for Vocational Education and Department of Education (95-01-  
9 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local  
10 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state  
11 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the  
12 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil  
13 transportation costs.

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

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

1           Section 373. Section 1 of this Act makes an appropriation to Public Education, School District  
2 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20  
3 guaranteed units. In the event that more units are required districts shall receive partial unit funding in  
4 proportion to the units available.

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

7  
8           Section 374. Section 1 of this Act provides certain appropriations to Public Education, School  
9 District Operations, Other Items and Debt Service in the State. These amounts are not based on the unit  
10 system. Allocation of these funds shall conform to the following:

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

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

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

1           Section 375. Section 1 of this Act makes appropriations to Public Education, School District  
2 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. During the fiscal  
3 year ending June 30, 2002, a school district upon approval of the Budget Director and the Controller  
4 General, may transfer part of its allocated appropriation from Division II - Energy to Division II - All  
5 Other Costs. A school district may use Division II - Energy funds to obtain engineering studies required  
6 for Exxon or Stripper Well funds. A Division II - Energy Unit shall be valued at \$1,682.00. A Division  
7 II - All Other Costs Unit shall be valued at \$3,247.00. The Division II - All Other Costs appropriation  
8 shall be used for all school costs (including library resources) except salaries and other employment costs,  
9 state and local benefits, debt service, energy, and transportation of pupils to and from their regular  
10 sessions of school.

11

12           Section 376. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
13 Fiscal Year 2002, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
14 allocated as follows:

15	<b>District</b>	<b>Increase Support</b>	<b>Offset Local</b>	
16	<b>Allocation</b>	<b>for Education</b>	<b>Current Expense Taxes</b>	<b>Total</b>
17				
18	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
19	Appoquinimink ILC	18,468	0	18,468
20	Brandywine	0	2,158,200	2,158,200
21	Bush	16,350	0	16,350
22	AI Institute	6,298	0	6,298
23	Brandywine ILC	75,210	0	75,210
24	Christina	0	3,691,830	3,691,830
25	Autistic Program	135,407	0	135,407
26	REACH	53,533	0	53,533
27	Sterck	85,023	0	85,023
28	Christina ILC	170,040	0	170,040

1	Colonial	0	2,001,240	2,001,240
2	Leach	75,576	0	75,576
3	Colonial ILC	42,510	0	42,510
4	Red Clay	0	2,897,220	2,897,220
5	Meadowood	75,576	0	75,576
6	Red Clay ILC	122,811	0	122,811
7	Caesar Rodney	259,301	308,539	567,840
8	Caesar Rodney ILC	9,204	0	9,204
9	Charlton	47,554	0	47,554
10	Capital	0	728,495	728,495
11	Capital ILC	4,820	0	4,820
12	Kent Orthopedic	16,874	0	16,874
13	Lake Forest	0	412,230	412,230
14	Milford	0	584,661	584,661
15	Milford ILC	5,062	0	5,062
16	Smyrna	0	520,000	520,000
17	Smyrna ILC	5,000	0	5,000
18	Cape Henlopen	0	24,174	24,174
19	Delmar	100,130	24,870	125,000
20	Delmar ILC	1,303	0	1,303
21	Indian River	0	592,680	592,680
22	Laurel	136,265	222,049	358,314
23	Laurel ILC	5,874	0	5,874
24	Seaford	10,052	253,843	263,895
25	Seaford ILC	6,025	0	6,025
26	Woodbridge	125,000	0	125,000
27	New Castle Vo-Tech	0	834,485	834,485



1	New Castle Vo-Tech ILC	25,192	0	25,192
2	Polytech	0	125,000	125,000
3	Polytech ILC	12,272	0	12,272
4	Sussex Technical	0	0	0
5	Total	\$1,646,730	\$15,902,776	\$17,549,506

6

7       Section 377. Section 1 of this Act provides an appropriation to School District Operations,  
8 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1998 audit  
9 of the New Castle County Vo-Tech School District and the 1999 audit of the Brandywine School District,  
10 the Department of Education is authorized to withhold \$225,665 and \$110,519 from each district’s  
11 entitlement in Fiscal Year 2002.

12       Section 378. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
13 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This  
14 appropriation shall be allocated by the Department of Education to the following programs/districts:  
15 Adult Trade Extension (statewide), Apprentice Program (statewide), James H. Groves High School  
16 (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School  
17 District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative  
18 Secondary Education Program (statewide), Communities in Schools of Delaware (Colonial, Brandywine,  
19 and Capital School Districts), Marine Mechanics Apprentice Program (Sussex Technical School District)  
20 and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2002, each  
21 program shall receive no less than the same allocation from this appropriation as its Fiscal Year 2001  
22 allocation, except that the allocations for the following programs shall be increased by the amounts  
23 shown: James H. Groves High School, \$452.2; Alternative Secondary Education, \$18.7; Diploma at a  
24 Distance, \$27.0; and \$75.0 for the Delaware Skills Center.

25

1           Section 379. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
2 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

3           (a) The following allocations shall be provided:

4           (1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to  
5 Certification program, to be used to implement this project in Fiscal Year 2002. The  
6 remaining \$75.0 may be used for the Summer Institute program.

7           (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional  
8 and curriculum development activities. Districts shall submit applications to the  
9 Department of Education detailing the district's plan for the utilization of these funds.  
10 The Department of Education shall review and approve plans and allocate an amount not  
11 to exceed \$331.00 per certified employee, based on a district's personnel complement for  
12 the 2000-2001 school year. Grants are to be used for developing and implementing  
13 curriculum based on the content standards established by the Curriculum Frameworks  
14 Commission, as approved by the State Board of Education or for other professional  
15 development activities, including, but not limited to: Discipline, Special  
16 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
17 Decision Making, local school board member training, and Educational Technology.  
18 Districts are encouraged to collaborate as a means of maximizing resources as well as  
19 focusing district activities on consistent principles. Grants may be utilized for training,  
20 planning, in-service programs and contractual services. The Department of Education is  
21 authorized to transfer 50 percent of the estimated district grant amount by July 30, 2001.  
22 The remaining 50 percent shall be transferred within 30 days of the final approval of the  
23 district application for funding.

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

26           (a) Integration of the proposal with existing resources and programs such as the  
27 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,

1 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education  
2 and local funds dedicated to Standards and Assessment.

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

7 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
8 determine, in coordination with the agency (or agencies) operating this program, the goals  
9 and objectives of this program, including how it will further the objectives of Standards  
10 and Assessment and integrate Shared Decision Making training into the program focus.  
11 The Controller General and the Budget Director shall ensure that the proposed program is  
12 cost efficient and meets the objectives outlined in this section before agreeing to transfer  
13 the appropriation from the Department of Education to the operating agency. All  
14 expenditures from this allocation shall serve principals from the State of Delaware only.

15 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
16 teachers to assist new teachers through leadership and guidance, and includes a training  
17 component in order for teachers to become better mentors. This funding level allows for  
18 a statewide program.

19 (5) \$600.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition  
20 reimbursement for Early Childhood Education courses and \$50.0 for summer school  
21 courses. This allocation provides, at the discretion of the Department of Education, for  
22 the possible operation of a tuition reimbursement program for the purpose of reimbursing  
23 public school employees and teachers employed by state agencies for tuition payments  
24 for graduate college courses or courses in an Education Technology Certificate Program.  
25 Funds may only be used to reimburse certificated non-administrative employees. No  
26 payment shall be made unless the course taken relates to the employee's job assignment  
27 and is taken with the prior approval of the employing district board, superintendent or

1 state agency. Local school district boards of education are required to prioritize the  
2 allocation of the funds they receive to support the educational advancement efforts of  
3 regular education teachers taking special education and/or mainstreaming related courses  
4 and other educational priorities established by the local boards of education based on  
5 staff development goals or to ameliorate identified deficiencies. This allocation may be  
6 used by local school districts to defray the costs for teachers seeking application for  
7 National Board Certification from the National Board for Professional Teaching  
8 Standards.

9 Reimbursement for tuition may be made for courses taken during summer  
10 school or during the academic year for which a passing grade of B or better is obtained.  
11 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a  
12 course with an equal number of credit hours at the University of Delaware. Of the total  
13 allocation made by Department of Education, a minimum of .75 percent shall be  
14 allocated to state agencies and the balance shall be allocated to the several school  
15 districts in amounts equal to each school district's proportion of Division I units to the  
16 total number of Division I units statewide on September 30, 2001. Any funds not  
17 expended by a school district or a state agency shall be transferred to other districts or  
18 agencies. In the event that any district's allocation is not sufficient to provide total  
19 reimbursement to all eligible employees, the district shall pro-rate the funds so that each  
20 eligible employee receives a share of the total district allocation equal to the individual  
21 employee's reimbursable expenditure divided by the total reimbursable expenditure of  
22 all employees in the district multiplied by the district allocation. Funding for each  
23 school district shall be divided into two equal parts. The first one-half shall be prorated  
24 as described above among eligible employees who complete their courses prior to  
25 February 1, 2002. The second one-half shall be prorated as described above among  
26 eligible employees who complete their courses prior to June 15, 2002. In the event that  
27 funds remain in either half year, the district shall be authorized to reallocate those funds

1 to reimburse eligible employees in the other portion of the year who did not receive full  
2 reimbursement. This Section shall supersede collective bargaining agreements to the  
3 contrary.

4 (6) \$628.4 for the Department of Education for the Teacher to Teacher Instructional Cadre  
5 which provides for the purchase of release time of exemplary teachers in the content  
6 areas in which the State Board of Education has adopted content standards, who will  
7 provide assistance to districts on a statewide basis in designing, demonstrating and  
8 implementing best teaching practices in the development of curriculum to meet the  
9 established standards. The Department of Education is authorized to transfer 50 percent  
10 of the estimated district grant amount by July 30, 2001. The remaining 50 percent shall  
11 be transferred within 30 days of the final approval of the district application for funding.

12 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3  
13 will be allocated to the University of Delaware and \$169.1 to Delaware State  
14 University to fund summer programs for the professional development of teachers. It is  
15 intended that curriculum of the summer classes offered through this program, to  
16 teachers and aides, be consistent with the curriculum standards which are currently  
17 under development or have previously been adopted by the State Board of Education.  
18 Both the University of Delaware and Delaware State University shall incorporate into  
19 their Summer School for Teachers course structure, the appropriate and necessary  
20 elements that will enable participants to develop relevant classroom curriculum as well  
21 as to gain additional exposure to best teaching practices in the standardized content  
22 areas. The Department of Education shall continue to make staff available to assist each  
23 institution in the preparation of the summer coursework. Future budget requests for  
24 this program will be made by the Department of Education in their annual budget  
25 request, following consultation with the University of Delaware and Delaware State  
26 University.

1 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and  
2 curriculum development activities in the content areas of reading and social studies.  
3 The Department of Education shall determine, in coordination with the agency (or  
4 agencies) performing such activities, the training goals and objectives, including how  
5 the objectives of Standards and Assessment will be furthered. The Department of  
6 Education, Controller General and the Budget Director shall ensure that the proposed  
7 development activities are cost efficient and meet the objectives outlined in this section  
8 before agreeing to transfer the appropriation from the Department of Education to the  
9 operating agency.

10 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of  
11 Education shall determine, in coordination with the agency (or agencies) operating this  
12 program, the goals and objectives of this program, including how it will further the  
13 objectives of Standards and Assessment. The Department of Education, Controller  
14 General and the Budget Director shall ensure that the proposed program is cost  
15 efficient and meets the objectives outlined in this section before agreeing to transfer the  
16 appropriation from the Department of Education to the operating agency.

17 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,  
18 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
19 § 1305 for 1.0 11-month Reading Specialist. The purpose of this Specialist will be the  
20 creation of a Reading to Reading Cadre which will provide assistance to districts in  
21 designing, demonstrating and implementing best practices in reading instruction. Such  
22 position shall be responsible for curriculum alignment and professional development in  
23 reading for district educators.

24 (11) \$220.8 for National Teacher Certification Program. This appropriation is to be used in  
25 Fiscal Year 2002 along with any local school district and privately donated funding, to  
26 defray costs for teachers seeking national board certification from the National Board  
27 for Professional Teaching Standards (NBPTS). Recognizing the effort involved in

1 pursuing such certification as well as the value it will bring to Delaware teachers and  
2 students, a NBPTS certification obtained under this program by an individual paid  
3 under 14 Del. C. § 1305, excluding superintendents, assistant superintendents,  
4 directors, and individuals employed in non-instructional areas detailed in Section  
5 1312(c), and employees at the Department of Education shall result in a salary  
6 supplement as specified in 14 Del. C. § 1305(m). The salary supplement shall be based  
7 upon the 10-month base state salary scale for teachers. The Department of Education  
8 shall report annually to the Budget Director and Controller General the number of  
9 NBPTS certificates obtained under this program. The NBPTS salary supplement shall  
10 be valid for a period not to exceed ten years.

11 (12) \$50.0 for paraprofessional training. Such funds shall be utilized by the Department of  
12 Education to design a program for implementation of a career pathway for school  
13 district paraprofessionals at Delaware Technical and Community College.

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

16  
17 Section 380. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
18 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
19 \$23,796.1 shall be used to fund units for academic excellence in the school districts in accordance with 14  
20 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
21 of Division I Units each district enrolls on the last school day in September 2001. School districts may  
22 use the funds to: purchase computer hardware, software or services; calculators; library resources; fund  
23 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district  
24 is entitled to less than one nurse per school; provide a student work-study program; provide conflict  
25 resolution training; provide extended day or extended year programs for students performing below the  
26 standard level; and provide stipends for professionals engaged in curriculum or professional development  
27 activities sponsored by a local school district or the Department of Education, outside of the regular

1 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
2 services. No homebound funds may be spent to provide services to students who have been suspended or  
3 expelled from school, except for special education students. The State Board of Education shall provide  
4 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director  
5 and Controller General no later than December 1 of each year.

6  
7 Section 381. For the fiscal year beginning July 1, 2001, any local school district that has had two  
8 consecutive failed current expense tax referendums during the time period July 1, 1999 to January 1,  
9 2002, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
10 units provided under that program. This provision will apply for Fiscal Year 2002 only. In addition,  
11 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
12 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
13 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

14  
15 Section 382. Section 1 of this Act provides an appropriation of \$9.9 to Public Education, Block  
16 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It  
17 is the intent that this money be used to provide summer programs including an eighth grade program in  
18 environmental heritage.

19  
20 Section 383. Section 1 of this Act provides an appropriation of \$240.0 to Public Education,  
21 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD  
22 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the  
23 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them  
24 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs  
25 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.



1           Section 384. Section 1 of this Act provides an appropriation of \$97.2 to Public Education, Block  
2 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The  
3 Department of Education shall transfer this appropriation to the University of Delaware to help fund a  
4 summer school program, for college credit, for gifted and talented students.

5  
6           Section 385. Section 1 of this Act provides an appropriation of \$136.5 to Public Education,  
7 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute  
8 for Arts in Education. Of this appropriation, \$25.0 shall be used to implement a new Wolftrap  
9 program. The Department of Education shall transfer this appropriation to the University of Delaware,  
10 which acts as the fiscal agent for this statewide program.

11  
12           Section 386. Section 1 of this Act provides an appropriation of \$201.2 to Public Education  
13 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for  
14 Economic Education. Of this amount, \$30.0 is appropriated to develop a pilot program to test a  
15 professional development model for systematically training teachers in content and pedagogy and  
16 provide them with ongoing support in the classroom.

17  
18           Section 387. In order that the children for whom the learning disability and socially or  
19 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such  
20 children, the State Board of Education shall require strict adherence to approved guidelines before release  
21 of any funds designated for such children. The State Board of Education shall particularly ascertain that  
22 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are  
23 developed to determine eligibility of socially or emotionally maladjusted children so that this category  
24 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious  
25 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally  
26 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made

1 at least every three years. The State Board shall report annually to the Budget Director and the Controller  
2 General on or before April 1 on the actions and results of actions required by this section.

3  
4 Section 388. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
5 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services  
6 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation  
7 and operation of the project for the fiscal year ending June 30, 2002. Local school district participation  
8 shall be on a district-wide basis.

9 The following resources are appropriated to operate the Children's Services Cost Recovery  
10 Project during the fiscal year ending June 30, 2002. No appropriation is made for the purchase of  
11 additional state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state  
12 travel which, pursuant to this section, are passed through to the local school district shall be dedicated to  
13 implementing the Children's Services Cost Recovery Project.

14 In addition, 14.0 FTE staff positions are appropriated to support this project: 2.0 FTEs shall be  
15 located at the Department of Education. The Department of Education is hereby permitted to authorize  
16 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this  
17 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial  
18 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
19 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
20 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
21 § 1309, including the local salary supplement in place at the employing local school district.

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

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

3  
4           Section 389. For the purpose of participating in the Children's Services Cost Recovery Project,  
5 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
6 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §  
7 1092, shall be considered in compliance with qualification standards equivalent to state licensure to  
8 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
9 limited to the delivery of services related to State Board of Education or local school district approved  
10 school programs conducted within the course of the regular school day at a State Board of Education or  
11 local school district approved school site or least restrictive environment location. The provisions of  
12 this Section shall in no way be construed as entitling a person not otherwise qualified to do so to  
13 represent himself to the public by any title or description of services incorporating the words  
14 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
15 as may be herein specifically provided.

16  
17           Section 390. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
18 and Pass Through Programs, Special Needs Programs (95-03-20) for the operation of the Program for  
19 Children with Disabilities. The school districts, in which children reside who are to be provided the  
20 special services, are authorized to levy and collect local tuition tax to cover the local share of the program  
21 costs.

22  
23           Section 391. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
24 and Pass Through Programs, Special Needs Programs (95-03-20) for the Program for Children with  
25 Disabilities (PCD).

26           The Interagency Resource Management Committee (IRMC) shall be composed of the following  
27 members (or their designee with full voting powers):

1 Secretary of Education who shall be the chairperson of the IRMC;  
2 Secretary of the Department of Health and Social Services;  
3 Secretary of the Department of Services for Children, Youth and Their Families;  
4 Budget Director;  
5 Controller General.

6 The affirmative vote of a majority of all members shall be required to take action.

7 The IRMC shall periodically review eligibility criteria for services under PCD and make  
8 recommendations as appropriate.

9 The IRMC was created to promote interagency collaboration in the service of those eligible for  
10 the PCD, to promote the cost-effective use of existing resources -- federal and state, public and private,  
11 and to promote the opportunity for coordination with programs for other exceptional children. To  
12 accomplish these goals, the IRMC shall do the following:

- 13 1. Allocate all funds provided by the State, obtained by it, or under its control, which are  
14 designated for the service of children eligible for the PCD.
- 15 2. Coordinate resources to support family-centered services for eligible children and their  
16 families, as appropriate.
- 17 3. Seek to develop collaborative approaches with the institutions of higher education for the  
18 service of those eligible for the PCD. Special emphasis shall be placed on the use of  
19 existing preschool educator training and child care provider training programs.
- 20 4. At its discretion, hire a full-time coordinator who shall report to the IRMC. The  
21 coordinator shall serve as liaison to the Department of Education, Instructional Services  
22 Branch.

23 The IRMC may, at its discretion, apply for and allocate grant funds that will serve children  
24 eligible for the PCD and further any of the purposes of this Section. Sources of such grant funds may  
25 include the federal Childcare Block Grant, Developmental Disabilities Council, federal Child and  
26 Maternal Health Grant, federal Title XX, Delaware First Again grants, where appropriate.

1 The IRMC is hereby granted the power to use any funds under its control and not otherwise  
2 restricted to either hire employees or contract for services.

3 The IRMC shall report to the Governor, President Pro-Tempore of the Senate, and the Speaker of  
4 the House on April 15 of each fiscal year. Each report shall include:

- 5 1. A summary of IRMC experience in attempting to accomplish its purposes as stated  
6 above; and,
- 7 2. A recommendation of the IRMC whether and how to institutionalize its activities and  
8 functions.

9 The Budget Director and the Controller General are hereby authorized to transfer additional funds  
10 serving this population among the budgets of the departments represented on the IRMC if there is prior  
11 agreement by the secretary of the department, as the case may be, to which the funds were previously  
12 allocated.

13 For the purpose of facilitating the continuation of services, programs receiving an allocation  
14 under the provisions of this section may receive 20 percent of the prior year's allocation at the outset of  
15 each fiscal year. These programs are required to present program proposals to the IRMC as required by  
16 the IRMC Policy Coordinator. Upon IRMC approval, adjustments to the program allocations may be  
17 made.

18 The IRMC shall be the designated forum through which the Coordinating Council for Children  
19 with Disabilities (CCCD) will provide regular program updates regarding ISIS. The IRMC will also  
20 serve as the venue through which additional funding request and/or program needs of ISIS may be  
21 presented. An active partnership with the private sector participants of ISIS shall be maintained, with  
22 related activities included in the status reports to the IRMC.

23  
24 Section 392. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
25 and Pass Through Programs, Special Needs Programs (95-03-20) for the Early Childhood Assistance  
26 Program. Funds are to be used to provide early childhood programs for four-year olds in accordance with  
27 14 Del. C. c. 30. It is anticipated that for Fiscal Year 2002, approximately 843 four-year-old children will

1 be served via this funding. The Interagency Resource Management Committee (IRMC) has  
2 administrative responsibility, which includes reviewing and disbursing grant awards; ensuring program  
3 compliance; and providing an annual report to the Legislature and Family Services Cabinet Council  
4 regarding the activities of the program. The IRMC shall request and approve a comprehensive re-funding  
5 application, on a tri-annual basis, from funded agencies meeting the required Head Start Performance  
6 Standards, as determined through on-site monitoring. The IRMC shall annually request and approve  
7 upcoming fiscal year budget plans from approved programs that will include proposals for any  
8 programmatic changes. The IRMC shall issue a Request for Proposal (RFP) for prospective providers  
9 when opportunities for new providers become available. The Department of Education shall assist with  
10 the implementation and ongoing administration of this program. The IRMC shall report to the Budget  
11 Director and the Controller General on or before January 1 each fiscal year on the status of the program.

12

13 Section 393. Section 1 of this Act provides an appropriation of \$145.0 to Public Education,  
14 Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the expanded  
15 responsibilities of the Interagency Resource Management Committee (IRMC) to foster an interagency  
16 approach in coordinating the delivery of early care and education services in Delaware, and for the  
17 establishment and operation of the Office of Early Childhood.

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

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

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

3 The Budget Director and the Controller General are hereby authorized to transfer funds among  
4 the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the  
5 department, as the case may be, to which the funds were previously allocated. Such transfers shall be  
6 intended to further the purposes of this Section. The IRMC shall be staffed by the Office of Early  
7 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant  
8 director and a clerical support position. Funding shall be provided by the Department of Health and  
9 Social Services and the Department of Services for Children, Youth and Their Families no later than July  
10 of each fiscal year to support the operational costs associated with the assistant director and clerical  
11 support positions. Funds allocated in this Section are to be used to support the work of the Office and to  
12 continue the interagency evaluation process for Delaware's early childhood programs.

13  
14 Section 394. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
15 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

16 (a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe  
17 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
18 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
19 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
20 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
21 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
22 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
23 opportunities. If funds provided under this section are used for costs associated with teachers and aides,  
24 as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.  
25 Programs receiving funds under this section may utilize no more that \$200.0 in total from Pupil  
26 Transportation (95-04-01) for transportation expenses.

1 (b) A total of \$7,099.3 is authorized for disruptive students at the school and district levels. The  
2 base incentive grants shall be provided to all school districts in the State as follows:

3 Schools grades K-6: \$30.0

4 Schools grades 7-12: \$40.0

5 If funds provided under this section are used for costs associated with teachers and aides, as  
6 provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

7 Under 14 Del. C. c. 16, local school districts are eligible to receive a supplemental grant, equal to  
8 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and  
9 certification in the district's grant application that the school is in compliance with the provisions of the  
10 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

11 Each school shall receive no less than the amount received in the Fiscal Year ending  
12 June 30, 2001. In order to provide districts with grants in a timely manner, all applications for base grants  
13 must be submitted for review by the Department of Education no later than November 15 of each year.

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

19 (d) The Department of Education shall determine common data definitions and data collection  
20 methodologies for each program in this section. Districts shall use such definitions and methodologies  
21 and shall complete a full evaluation of each program within 60 days of the close of the school year.  
22 Reports shall include, at a minimum, the number of students served, reasons for service, measures of  
23 behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
24 programs, and number and types of referrals for additional services. Such reports will be used to  
25 determine needs for program improvement and will be required as a condition of ensuing funding.



1 (e) A total of \$3,650.9 is authorized for prevention components administered by the Family  
2 Services Cabinet Council (FSCC) in conjunction with the Department of Education and the Department  
3 of Services for Children, Youth and Their Families. Funding shall be provided as follows:

4 (i) \$450.0 for the FSCC to identify three communities in which to develop comprehensive  
5 plans for delivering services through a community-based, interagency collaborative effort.  
6 The FSCC in conjunction with the Department of Education and the Department of  
7 Services for Children, Youth and Their Families shall assist selective communities in  
8 developing appropriate pilot projects and may use the funds for any project(s) which they  
9 deem likely to demonstrate effective and coordinated prevention strategies.

10 (ii) \$3,200.9 to provide early intervention services through the Department of  
11 Services for Children, Youth and Their Families, Family Crisis Therapist  
12 Program. Services are intended for grades K-3 and shall address but not be  
13 limited to, problems such as Early Onset Conduct Disorder. The Department of  
14 Services for Children, Youth and Their Families may enter into contractual  
15 agreements, may employ casual/seasonal personnel, or may create the necessary  
16 positions with the approval of the Delaware State Clearinghouse Committee and  
17 maintain an ASF or NSF account with sufficient spending authority to operate  
18 the program.

19 (iii) For purposes of implementing (i) and (ii) above, the FSCC with the Department  
20 of Education and the Department of Services for Children, Youth and Their  
21 Families acting as lead agencies shall administer a competitive Request for  
22 Proposal (RFP) process to determine grant awards to local districts. Grant  
23 awards shall be for a period of 12 months. Factors that may be utilized in the  
24 evaluation of proposals can be, but are not limited to, the following: links to Part  
25 II discipline funding or other district resources; the use of collaborative  
26 partnerships; the relative need of the local school district community; and the  
27 recognition within a proposal of the need to provide services to meet the

1 presenting problems of both the child and the family. To the extent possible, the  
2 Department of Services for Children, Youth and Their Families is authorized to  
3 pursue Medicaid cost recovery for eligible services provide to Medicaid eligible  
4 children. Funds resulting from these efforts may be used to expand these  
5 services with prior approval of the Budget Director and the Controller General.

6 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup> General  
7 Assembly, a total of \$1,225.0 shall be allocated for the implementation of a three-year pilot alternative  
8 school program. The program shall be developed utilizing research based best-practice models as  
9 described in "Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999".  
10 The program shall provide year-round services to no more than 100 students. This program shall be  
11 considered a special school for the purposes of charging tuition payments to be made by school districts  
12 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30  
13 percent of the total cost of the program. The Department of Education, the Department of Services for  
14 Children, Youth and Their Families and the New Castle County Consortium, shall oversee administration  
15 of the program. Such oversight shall include an annual evaluation of the program. The New Castle  
16 County Consortium may enter into contractual arrangements to operate the program.

17  
18 Section 395. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
19 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20) to implement 14  
20 Del. C. § 3124. For the fiscal year ending June 30, 2002, any placement made pursuant to this Section  
21 shall be considered a special program placement and shall be eligible for inclusion in local school district  
22 tuition tax rate setting. Districts shall contribute 15 percent of the total cost associated with the placement  
23 of any district student in such a program. The provisions of the Delaware Code to the contrary  
24 notwithstanding, for the fiscal year ending June 30, 2002, the Department of Education is authorized to  
25 continue utilizing funds appropriated in Section 1 of this Act to develop unique educational alternatives,  
26 in lieu of private placement, for persons who have been, or who would otherwise be, identified as  
27 "complex or rare" and unable to benefit from the regularly offered free, appropriate public educational

1 programs and students in present education programs within this State whose individual education plan  
2 requires services not presently available within the present unit funding system. Unique educational  
3 alternatives shall be defined and approved by the Department of Education and may include, but not be  
4 limited to, related and supportive services.

5  
6 Section 396. Section 1 of this Act makes an appropriation to the Public Education, Block Grants  
7 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Before the  
8 Department of Education can authorize expenditures for new placements from this appropriation, the case  
9 must be reviewed by the Interagency Collaborative Team (ICT).

10 The ICT shall consist of:

- 11 Division Director, Division of Child Mental Health Services of DSCYF;
- 12 Division Director, Family Services of DSCYF;
- 13 Division Director, Division of Youth Rehabilitation Services of DSCYF;
- 14 Division Director, Division of Mental Retardation of DHSS;
- 15 Division Director, Division of Alcoholism, Drug Abuse and Mental Health of DHSS;
- 16 Director of the Office of the Budget or designee;
- 17 The Controller General or designee;
- 18 Director, Exceptional Children's Group, DOE, who will serve as Chair;
- 19 Associate Secretary, Curriculum and Instructional Improvement, DOE.

20 A Director assigned to the ICT may designate staff to represent them on the ICT only if these  
21 designated representatives are empowered to act on behalf of the Division Director including commitment  
22 of division resources for a full fiscal year.

23 The ICT shall invite to its meetings:

- 24 A representative of a responsible school district for the case under consideration;
- 25 The parents of the child;
- 26 Other persons the team believes can contribute to their deliberations.

27 The ICT shall:

- 1 Review existing assessments of new referrals;
- 2 Prescribe, if required, additional assessments for new referrals;
- 3 Review proposed treatment plans of new referrals;
- 4 Recommend alternatives for treatment plans of new referrals;
- 5 Coordinate interagency delivery of services;
- 6 Review at least annually, current Unique Alternatives for the appropriateness of treatment
- 7 plans and transition planning;
- 8 If appropriate, designate a Primary Case Manager for the purpose of coordination of
- 9 service agencies;
- 10 If appropriate, designate agencies to be involved in collaborative monitoring of individual
- 11 cases.

12 The ICT will ensure that state costs incurred as the result of a Team recommendation or  
13 assessment of a child currently funded from the Unique Alternatives appropriation for this purpose in  
14 Section 1 of this Act will be covered from the existing appropriation. New referrals will be assessed in  
15 the inter-agency manner described above. The ICT may accept and review cases initiated by other  
16 agencies, but in all cases the school district of residence must be involved in the review.

17 Cases reviewed by the ICT will employ Unique Alternatives funding to cover state costs to the  
18 extent determined appropriate by the Interagency Collaborative Team. Other agencies may recognize a  
19 portion of the responsibility for the treatment of these children if determined appropriate by the Team.  
20 Funds may be transferred upon the approval of the Budget Director and the Controller General.

21 The ICT shall report on its activities to the Governor, Budget Director, President Pro-Tempore,  
22 Speaker of the House and the Controller General by February 15 of each year. The report shall address  
23 the status of items addressed in the previous February ICT Annual Report.

24

25 Section 397. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
26 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
27 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would

1 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all  
2 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
3 school districts and other ICT agencies.

4  
5 Section 398. Any placement made pursuant to 14 Del. C. § 3124 in which the individual  
6 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

7  
8 Section 399. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
9 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
10 Vocational. This appropriation shall be used to continue the program of vocational education for  
11 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a  
12 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week  
13 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding  
14 otherwise provided under 14 Del. C. § 1703(d). The deduct contained in 14 Del. C. § 1703(i), shall not  
15 apply to the units authorized by this Section.

16  
17 Section 400. (a) Section 1 of this Act provides an appropriation to Public Education, Block  
18 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in  
19 Grades K-12. The allocations shall be used exclusively to provide extra instructional time for low  
20 achieving students in order that they may improve their academic performance in the four primary content  
21 areas (mathematics, science, English language arts, and social studies) as measured against the state  
22 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's  
23 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative  
24 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to  
25 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,  
26 up to 50 percent may be used within the normal school day provided the services are in the form of  
27 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the

1 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this  
2 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant  
3 amount by July 30, 2001. The remaining amount shall be transferred within 30 days of the final approval  
4 of the district application for funding.

5 (b) The following criteria shall apply to each of the components of the Extra Time for Students  
6 Program.

7 (1) In order to qualify for an allocation, each district shall submit an application to the  
8 Department of Education as part of the districts' consolidated application. The  
9 application must show evidence of building level staff involvement in the development of  
10 the district proposal.

11 (2) The application provided to the Department of Education shall indicate the student  
12 populations to be served, the type of program(s) proposed, the levels of academic  
13 improvement the additional services are intended to achieve, and the measurement and/or  
14 evaluation process the district will use to determine program effectiveness. Associated  
15 transportation costs shall also be included in the district application.

16 (3) Funding for this component shall only be used for academic instruction or remediation  
17 programs that are offered to a targeted population of low achieving students. Should  
18 funds be used during the regularly scheduled six and one half hour school day, said funds  
19 must be used to hire additional instructional staff to provide additional instruction or  
20 remediation to the targeted population in one of the four core curriculum areas. Prior to  
21 the expenditure of funds during the regular school day, districts must obtain the approval  
22 of the Secretary of Education, Budget Director and Controller General and must certify to  
23 the Secretary of Education, Budget Director and Controller General that sufficient  
24 resources remain to operate the mandated summer school program. The Department of  
25 Education shall promote the use of "Best Practices" in this area through all available  
26 means.

- 1 (4) Funds appropriated pursuant to this Section may not be used for curriculum development  
2 or staff training functions, but may be used for the purchase of supplies and materials  
3 necessary to operate extra time programs. To the extent that these funds are used to pay  
4 salary expenses of district instructional staff, these funds may only be used for costs  
5 associated with the State share of salaries, as provided under 14 Del. C. § 1305.
- 6 (5) In order to maximize resources provided under this program, local school districts are  
7 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the  
8 provisions of 14 Del C. § 1902(b).
- 9 (6) Local school districts may use funds appropriated pursuant to this Section to contract  
10 with private or non-profit instruction or tutoring services provided that there is evidence  
11 of building level conversations regarding contracted services.
- 12 (7) If, after the applications are received by the Department of Education, a local district does  
13 not choose to utilize the full amount to which they are entitled, the Department of  
14 Education may allocate any remaining amount through a competitive RFP process.
- 15 (8) Funds appropriated pursuant to this Section shall be appropriated on a 15 month basis and  
16 shall not be subject to reversion until September 30, 2002. Program expenses, however,  
17 may not be incurred subsequent to the start of the 2002-2003 regular school year.

18 (c) The following criteria shall apply to the component of the program that serves students in any  
19 grade levels:

- 20 (1) Allocations for this component shall be provided in proportion to the total Division I  
21 units in each school district, multiplied by the state portion of the average teacher salary  
22 in the district in the immediately preceding fiscal year.

23 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
24 \$400.0 is to be utilized.

- 25 (1) This funding shall serve students in kindergarten through grade 3 who are identified  
26 during their kindergarten and first grade years as being inadequately prepared to succeed  
27 in reading or are performing below grade level.

1 (2) This funding shall be utilized exclusively to provide supplemental services or teaching  
2 methods designed to improve the reading abilities of students with the goal being that  
3 they achieve and maintain their appropriate grade level reading ability. These services  
4 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.  
5 The school districts are strongly encouraged to use programs including, but not limited  
6 to, Reading Assist and other research based multi-sensory programs.

7 (3) The funding for this component may provide services outside of the normal school  
8 operation timeframe as specified in subsections (c) and (d) of this Section, or may be  
9 used during the regular school day, provided however that the services being offered are  
10 supplemental to the reading instruction the student would otherwise normally receive.

11 (e) On or before February 15, June 30, and August 30 of each year, all districts shall submit a  
12 report to the Department of Education on Extra Time programs. The report shall include but not be  
13 limited to the following: state identification number for each student served, total number of program  
14 contact hours per student, content area(s) addressed, and evidence of academic improvement. The  
15 Department of Education shall provide a format for such reporting. The Department of Education  
16 shall provide an annual report to the Budget Director and Controller General no later than January 1.

17  
18 Section 401. Section 1 of this Act appropriates funds to provide Extra Time for Students.  
19 Local school districts are encouraged to provide the corresponding local match to such appropriations  
20 and to provide additional resources to make Extra Time for Students provisions available to any K-3  
21 student who is identified by his or her teacher as functioning below grade level in reading or  
22 mathematics. The goal of this provision of resources shall be to have the child function at grade level  
23 and to avoid the need for state-mandated academic improvement activities. The Department of  
24 Education shall survey local school districts to determine their level of local support for these purposes  
25 and their use of state Extra Time for Students funding to help K-3 students function at grade level.



1           Section 402. Pursuant to appropriations in the Department of Correction and the Department of  
2 Education in Section 1 of this Act, the Department of Correction and the Department of Education shall  
3 enter into an agreement for the operation of prison education services. Under any such agreement the  
4 Department of Education shall be responsible for the operation of prison education services. These  
5 educational services shall include, but not be limited to, programs provided to juvenile inmates in the  
6 Young Criminal Offender Program and inmates between the ages of 18 and 21, including those requiring  
7 special educational services. Students served under this program shall not be included in the calculation  
8 for unit count purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may  
9 transfer funds between lines and Departments to pay for this program.

10           Section 1 of this Act appropriates 34.7 FTEs, of which up to 4.0 shall be authorized as  
11 teachers/supervisors, 26.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
12 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of  
13 employees for the prison education program shall be the same as the qualification for employees in the  
14 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
15 responsibilities and duties developed by the Department of Education.

16           Salary for employees in the prison education program when paid from funds of this State, shall be  
17 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
18 computed shall be multiplied by 1.2 then divided by .7 as to account for 12-month employment and  
19 supplements normally provided by local school districts. Employees whose primary job location is onsite  
20 within the institution shall also receive hazardous duty supplements as provided in the Merit System.  
21 Teachers/supervisors shall receive an administrative supplement of four percent to eight percent to be  
22 determined by the Department of Education with the approval of the co-chairs of the Joint Finance  
23 Committee.

24  
25           Section 403. Any provisions of the Delaware Code to the contrary notwithstanding, the  
26 Department of Education is authorized and directed to provide aides for the purpose of providing

1 mainstreaming services to deaf students as follows: three in the Capital School District, two in the  
2 Seaford School District, and one in the Milford School District.

3  
4 Section 404. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
5 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
6 Consortium is formed to provide for overall program development and management, coordination and  
7 technical assistance. The Consortium will review and provide technical assistance and in-service training  
8 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
9 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
10 and federal legislation.

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

22 Kent County Polytech School District will act as financial agent for the Consortium and an  
23 annual financial and program report will be submitted to the co-chairpersons of the Delaware Legislative  
24 Joint Finance Committee.

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

1           Section 405. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
2 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
3 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
4 support and enrichment for students. Funding shall provide approximately six to ten pilot programs  
5 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
6 businesses. The Department of Education shall administer a competitive grant process focused on the  
7 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
8 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
9 and outreach to parents, especially those who are reluctant to interact with schools.

10  
11           Section 406. Section 1 of this Act makes an appropriation to the State Board of Education, Block  
12 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,  
13 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

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

16           If funds provided under this section are used for costs associated with teachers and aides, funds  
17 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

18  
19           Section 407. Section 1 of this Act appropriates \$2,500.0 to Public Education, Block Grants and  
20 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. The Department of  
21 Education is authorized to provide Reading Resource Teachers to elementary schools based upon  
22 demonstrated need. Demonstrated need shall be determined by the largest percentage of third and/or  
23 fifth-grade students scoring below the standard on the reading component of the 2000 DSTP. This  
24 funding shall provide one Reading Resource Teacher to the 50 schools with the highest percentage of  
25 third and/or fifth-grade students scoring below the standard on the reading component of the 2000 DSTP.  
26 Reading Resource Teachers shall provide direct reading instruction to students which must include

1 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading  
2 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the reading  
3 cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.  
4 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with  
5 documented classroom success in teaching reading.

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

11  
12 Section 408. (a) Section 1 of this Act provides an appropriation of \$3,300.0 to Public Education,  
13 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
14 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
15 adopted by the Joint Finance Committee on April 16, 1981.

16 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2002,  
17 shall be allocated and shall not exceed \$54,522.2 (of which \$3,500.0 is designated as a transportation  
18 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
19 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
20 amendments and procedural modifications:

- 21 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state  
22 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28  
23 per gallon for contractors. For districts and contractors north of the Chesapeake and  
24 Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank  
25 (5,000 or more gallons). In the case of contractors located south of the Chesapeake and  
26 Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275

1 - 1,900 gallons). Upon determination by the Department of Education that a contractor  
2 located North of the Chesapeake and Delaware Canal and operating five or fewer buses  
3 does not have existing storage capacity in the large tank range, the per gallon price shall  
4 be based on the smaller tank size.

5 (2) The Fiscal Year 2002 operating allowance will be adjusted for inflation by a rate of 1.5  
6 percent.

7 (3) For the fiscal year ending June 30, 2002, the allowable cost of a new bus purchased by  
8 a contractor shall be the Fiscal Year 2001 state bid price for new buses minus two  
9 percent for salvage value, plus eleven percent to account for dealer charges and profits  
10 not reflected in the state bid price due to the higher number of buses being purchased  
11 and the lag time between the ordering and delivery. The Department of Education  
12 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining  
13 the allowable cost for any size bus that it did not bid in Fiscal Year 2001. In addition  
14 to the procedure for establishing the allowable cost of a new bus specified above, the  
15 Department of Education is requested to structure its bids for buses in the fiscal year  
16 ending June 30, 2002, in such a manner that public school bus contractors will be  
17 permitted to purchase buses from the successful lower bidder at the same price as the  
18 State of Delaware. If a contractor elects to purchase a bus at the bid price, that bid  
19 price minus two percent for salvage value will be the allowable cost in subsequent  
20 reimbursements to the contractor.

21 (4) The formula rate for reimbursing public school bus contractors for the cost of liability  
22 insurance shall be determined by the Department of Education in consultation with the  
23 Insurance Commissioner based on the data available on April 30 of the previous fiscal  
24 year.

25 (c) The Department of Education shall amend its transportation formula to permit replacement of  
26 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle  
27 which has operated 150,000 school-related miles regardless of the age of the vehicle.

1 (d) The Department of Education is authorized to amend its formula to allow the purchase of  
2 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer  
3 available.

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

8 (f) The Department of Education is authorized to amend its formula such that automatic  
9 transmission shall be considered standard equipment on contractor and school district bus purchases.

10 (g) The Department of Education is authorized to amend its transportation formula to change the  
11 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-  
12 gallon.

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

18  
19 Section 409. (a) During the fiscal year ending June 30, 2002, the Department of Education is  
20 hereby directed to provide bus transportation of public school students previously declared ineligible by  
21 the Unique Hazards Committee, including the following:

22 (1) Students attending the Stanton Junior High School who are now forced to walk along  
23 Telegraph Road with a constant threat of injury.

24 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
25 Road with a constant threat of injury.

26 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
27 who attend the Seaford schools, grades K-6.

- 1 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
2 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 3 (5) Students attending the Wilmington High School on Lancaster Avenue to Delaware  
4 Avenue in the north-south grid and on Jackson Street to duPont Street on the east-west  
5 grid.
- 6 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
7 along Kirkwood Highway with a constant threat of injury.
- 8 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
9 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 10 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
11 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 12 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
13 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
14 Route 404 or Route 18.
- 15 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
16 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
17 along U.S. 13 in order to reach school.
- 18 (11) Students attending the Concord High School who live south of Naamans Road in the  
19 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
20 along Grubb and/or Naamans Road with a constant threat of injury.
- 21 (12) Students attending Richardson Park School and Conrad Junior High School who live on  
22 Brookside Drive.
- 23 (13) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
24 Laurel and the surrounding areas.
- 25 (14) Students attending Dover High School who live in Old Sherwood, south of Waples  
26 Avenue.

- 1 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
2 along Bellevue Road.
- 3 (16) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
4 over and/or walk along River Road between Lore and Bellevue.
- 5 (17) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
6 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
7 injury.
- 8 (18) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4  
9 at Pierson Drive intersection.
- 10 (19) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
11 School.
- 12 (20) Woodbridge Elementary School students living in the town of Greenwood, west of the  
13 railroad tracks.
- 14 (21) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
15 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
16 Route 13A.
- 17 (22) Talley Jr. High School students who reside in the Ashburn Hills, Greentree, Stoney  
18 Brook areas, students who reside in the Woodacre Apartments and students who live  
19 along Peachtree Road.
- 20 (23) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
21 Eden Ridge who must cross Concord Pike.
- 22 (24) Indian River High School students who live east of Bedford Street.
- 23 (25) Smyrna Elementary School students who reside in the proximity of 4272 Judith Road.
- 24 (26) Students attending Eisenberg Elementary School who reside in the Castle Hills  
25 residential area.
- 26 (27) Students attending Castle Hill Elementary School who reside in the Swanwyck area.
- 27 (28) Lombardy Elementary School students who must cross Foulk Road.



- 1 (29) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 2 (30) Students attending the Colwyck Elementary School who live in the Landers Park and  
3 Swanwyck Gardens residential areas.
- 4 (31) Students attending Central Middle School, living in the area south of Kent General  
5 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
6 Hope Street and Sackarackin Avenue.
- 7 (32) Students of the Appoquinimink School District who reside in Odessa Heights.
- 8 (33) Students attending Brandywine High School who live in Concord Manor and are forced  
9 to walk along Shellpot Drive and Windley Hill.
- 10 (34) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
11 in the Smyrna School District who live on Buresch Drive.
- 12 (35) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
13 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
14 Brandywine School district who lives along Grubb Road (between Naamans Road and  
15 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
16 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
17 school.
- 18 (36) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
19 Darley Road Elementary School.
- 20 (37) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
21 Westfield who must cross Limestone Road.

22 The transportation of the students specified herein shall continue until the funds requested are  
23 appropriated and construction is completed. Spur routes shall continue to be served as at present.

24  
25 Section 410. During the fiscal year ending June 30, 2002, the Department of Education will  
26 continue and broaden implementation of the computerized routing system for school bus transportation.

1 During this implementation, the Department is directed to continue to provide bus transportation  
2 services to any residential area which has received transportation services since October 1, 1977.

3  
4 Section 411. The National Highway Traffic Safety Administration (NHTSA) is conducting a  
5 research program to consider alternative methods of potentially improving federal school bus passenger  
6 crash protection requirements. Based upon NHTSA's report, the Department of Education will  
7 recommend changes to the Delaware school bus specifications so that all school buses will continue to be  
8 in compliance with federal safety standards.

9  
10 Section 412. During the fiscal year ending June 30, 2002, the Department of Education is hereby  
11 directed that students attending the Woodbridge School District, who live in the Canterbury Apartments  
12 in Bridgeville, will embark and disembark in the parking lot of the apartment complex in lieu of the bus  
13 stop area along the heavily traveled U.S. 13.

14  
15 Section 413. The Department of Education shall survey the local school districts to determine the  
16 number of districts that are exercising the authority granted by 14 Del. C. §4115 to require eligible  
17 students to choose between driving a motor vehicle to school and riding a school bus. Such survey shall  
18 provide information to determine the number of students per district that are driving to school as  
19 compared to the number of over bookings that are incorporated into the transportation schedule. The  
20 results of such survey, and any accompanying recommendations shall be forwarded to the Budget  
21 Director and the Controller General by February 1, 2002.

22  
23 Section 414. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)  
24 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following  
25 reimbursement methodology is in effect:

- 26 (a) For those school districts or private contractors who are operating school buses equipped with  
27 cellular phone technology or have no radio or telephonic communication equipment, the

1 Department of Education is authorized to bring said districts and contractors under a State  
2 negotiated cellular phone contract such that the State shall pay one-half of the costs  
3 associated with the monthly connect charge, subject to the availability of funds.

4 (b) For those school districts or private contractors who are operating school buses equipped with  
5 radio equipment, the department is authorized to reimburse said districts or contractors one-  
6 half of the installation cost of the radio equipment on a one-time basis.

7  
8 Section 415. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -  
9 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall  
10 administer a non-competitive application process to determine grant awards to local school districts and  
11 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting  
12 the maintenance of existing equipment in the schools either through the use of a full time technology  
13 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as  
14 may arise which could improve or enhance the technology capabilities of the district. If funds provided  
15 under this section are used for costs associated with positions, funds may only be used for costs  
16 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding  
17 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance  
18 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the  
19 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71  
20 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse  
21 these funds. The Department shall also be charged with the authority to verify the use of the funds and  
22 shall require each school district to annually report on expenditures of the funds.

23  
24 Section 416. Section 1 of this Act provides an appropriation to the Delaware Center for  
25 Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for  
26 and engage in activities related to total project needs and budgets for statewide education technology  
27 projects, the establishment of cost-sharing policies, the initiation, procurement and maintenance of

1 statewide education technology contracts, implementation on an on-going basis of professional training  
2 programs related to statewide education technology and providing technical assistance to the Department  
3 of Education for the initiation of system-wide applications including administrative and curriculum  
4 development.

5  
6 Section 417. The provisions of this Act to the contrary notwithstanding, consistent-with the  
7 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the professional  
8 accountability and instructional advancement fund, school-based student discipline programs, extra time  
9 for students and minor capital improvements program will not be required to submit an application to the  
10 Department of Education. Any funds received as a result of the allocation of these programs may be used  
11 for current operations, minor capital improvements, debt service payments or tuition payments.

12  
13 Section 418. Section 1 of this Act makes an appropriation to the Delaware Higher Education  
14 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$30.0 shall be used for the  
15 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$210.0 shall be  
16 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;  
17 \$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$40.0 for the  
18 Legislative Essay Scholarship; \$40.0 for the Charles L. Hebner Scholarship; and \$50.0 for Critical  
19 Teacher Scholarships. Any Herman M. Holloway Sr. Scholarship Program funds remaining after  
20 payment of the Holloway Scholarships, may be awarded to Delaware State University students with  
21 financial need who applied to the Scholarship Incentive Program.

22  
23 Section 419. 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  
25 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
26 subsequent year with approval of the Department of Education.

1           Section 420. Section 1 of this Act makes an appropriation to the Delaware Higher Education  
2 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$19.5 shall be used for the Al O.  
3 Plant, Sr. Memorial Scholarship Fund per the provisions of House Bill No. 22 of the 141st General  
4 Assembly or similar legislation. If this bill or similar legislation is not enacted, the appropriation shall  
5 revert to the General Fund of the State of Delaware.

6  
7           Section 421. Notwithstanding any other provision to the contrary, effective July 1, 2001, the  
8 Department of Education shall implement a staff integration plan for the Delaware Higher Education  
9 Commission. For Fiscal Year 2002, in accordance with policies and procedures agreed upon by the Joint  
10 Finance Committee, the Budget Director and Controller General the following position numbers and  
11 corresponding salaries shall be in effect:

12	#00052383	Accountant I	\$30,025
13	#00056437	Higher Education Analyst	\$40,741
14	#00069720	Higher Education Analyst	\$42,096
15	#00081644	Data Analyst	\$47,384
16	#00052384	Administrative Management	\$53,685
17	#00052382	Administrative Assistant I	Vacant
18	#00052395	Appointed Official	Salary set pursuant to Section10
19			of this Act

20           Upon vacancy of any of the positions listed above, the Department of Education shall review said  
21 vacant position with respect to current responsibilities and salary classification and shall submit any  
22 recommended changes to the Budget Director and Controller General for approval.

23  
24           Section 422. Section 1 of this Act appropriates \$600.0 to the Department of Education, Delaware  
25 Higher Education Commission (95-08-01) for Delaware Student Testing Program (DSTP) Scholarships,  
26 to be named the Michael C. Ferguson Achievement Awards. This scholarship program, required by the  
27 Education Accountability Act of 1998, will recognize students who demonstrate superior performance on

1 the assessments administered pursuant to 29 Del. C. §151(b) and (c). A maximum of 600 scholarships at  
2 \$1,000 each may be awarded to students annually in the following manner: the students with the 150  
3 highest scores on DSTP without reference to any other indicators of performances and the students with  
4 the 150 highest scores on DSTP who participate in free and reduced lunch programs in grades eight and  
5 ten. The Department of Education will promulgate rules and regulations to implement this program.

6  
7 Section 423. The Delaware Higher Education Commission is hereby authorized to use up to  
8 \$25.0 of the interest income from the Delaware Student Testing Program (DSTP) Scholarships to support  
9 the recognition of students who are awarded scholarships associated with that appropriation.

10  
11 Section 424. During the fiscal year ending June 30, 2002, the Department of Education, with the  
12 approval of the State Board of Education, is authorized to establish and maintain procedures, by  
13 regulation pursuant to 14 Del. C. § 3110(c), for the conduct of expedited due process hearings which shall  
14 be available to children with disabilities and their parents where required by federal or state law, and/or  
15 Departmental regulation. For the purposes of such expedited due process hearings, during the fiscal year  
16 ending June 30, 2002 the Department of Education is authorized to engage the professional services of a  
17 cadre of single hearing officers to preside over such hearings.

18  
19 Section 425. 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  
23 Section 426. The Department of Education is exempt from the provisions 29 Del. C. c. 69, for  
24 purposes of contracting with the University of Delaware, Delaware State University, and Delaware  
25 Technical and Community College.

1           Section 427. Alternative schools yet to open as of July 1, 2001 shall not be located within 1,000  
2 feet of licensed day care facilities, nursing homes or housing facilities restricted for the use of senior  
3 citizens.

SYNOPSIS

This Bill is the Fiscal Year 2002 Appropriation Act.

Joint Finance Committee