



SPONSORS: Sens. Adams Reps: Gilligan
 McDowell VanSant
 DeLuca
 Cook

DELAWARE STATE SENATE

142ND GENERAL ASSEMBLY

SENATE BILL NO. 205

JANUARY 29, 2004

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2005; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential
2 to the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2005, are
3 hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and
4 divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to
5 the provisions of Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the
6 Delaware Code notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the
7 last day of June 2005, shall not have been paid out of the State Treasury, shall revert to the General Fund; provided,
8 however, that no funds shall revert which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

9 The several amounts hereby appropriated are as follows:

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Year ending June 30, 2005

Personnel

(01-01-01) General Assembly - House

\$ Line Item	
ASF	GF

	3,853.1
	58.2
	37.6
	400.0
	40.0
	30.0
	323.6
	30.0
	4,772.5

Personnel Costs
Travel
 Mileage - Legislative
 Other - Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Advertising - Senate Substance Abuse Committee
 Expenses - Senate Members
 Senate Committee Expenses

	2,317.4
	52.3
	20.2
	192.0
	35.0
	45.0
	25.0
	175.1
	75.0
	2,937.0

Travel
Legislative Travel
Contractual Services
Supplies and Materials
Other Items:
 Council of State Governments
 Delaware River Basin Commission
 National Conference of State Legislatures
 Eastern Trade Council
 Legislation for Gaming States
 Interstate Agriculture Commission
 State and Local Legal Center, NCSL
TOTAL -- Commission on Interstate Cooperation

	20.0
	100.0
	40.0
	0.5
	94.6
	392.0
	84.7
	3.0
	3.0
	25.0
	2.0
	764.8

(01-00-00) LEGISLATIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(01-08-00) Legislative Council						
(01-08-01) Research						
		19.0				1,157.4
						18.3
						165.1
						119.7
						30.0
						4.5
						55.0
						38.5
		19.0				1,588.5
TOTAL -- Division of Research						
(01-08-02) Office of the Controller General						
		14.0				1,177.9
						14.4
						380.9
						70.0
						2.0
						8.3
						15.0
						10.0
						25.0
						10.0
						50.0
						25.0
						50.0
						20.0
		14.0				1,858.5
TOTAL -- Office of the Controller General						
(01-08-03) Code Revisors						
						1.1
						220.8
						0.5
						222.4
TOTAL -- Code Revisors						
(01-08-06) Commission on Uniform State Laws						
						17.0
						18.1
						0.2
						35.3
TOTAL -- Commission on Uniform State Laws						
		33.0				3,704.7
TOTAL -- Legislative Council						
		78.0				12,179.0
TOTAL -- LEGISLATIVE						

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11.3		27.0
11.3		27.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Court on the Judiciary

(-10) Supreme Court
 (-40) Reg-Arms of the Court
TOTAL -- Internal Program Units

(-10) Supreme Court
 (-40) Reg-Arms of the Court
TOTAL -- Internal Program Units

149.4	2,449.2
149.4	2,449.2

ASF	GF
-----	----

440.3	2,143.3
5.5	13.0
985.8	55.7
37.5	26.0
35.0	
1,504.1	2,238.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Court of Chancery

(-10) Court of Chancery
TOTAL -- Internal Program Unit

1,504.1	2,238.0
1,504.1	2,238.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Superior Court

(-10) Superior Court
TOTAL -- Internal Program Unit

	16,959.8
	16,959.8

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Court of Common Pleas

(-10) Court of Common Pleas
TOTAL -- Internal Program Unit

167.2	6,989.4
167.2	6,989.4

163.2	6,715.0
	11.0
	182.1
	74.2
4.0	7.1
167.2	6,989.4

(02-00-00) JUDICIAL

Personnel		
NSF	ASF	GF

1.0	64.0	261.0
1.0	64.0	261.0

1.0	64.0	261.0
1.0	64.0	261.0

(02-08-00) Family Court

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Child Protection Registry Appeals

TOTAL -- Family Court

(-10) Family Court
TOTAL -- Internal Program Unit

\$ Program	
ASF	GF

3,368.8	14,526.6
3,368.8	14,526.6

\$ Line Item	
ASF	GF

2,920.4	13,930.2
12.3	30.0
217.5	440.1
62.2	126.3
48.0	
108.4	
3,368.8	14,526.6

(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

		242.5
		242.5

		242.5
		242.5

	11,817.3
	9.4
	1,240.3
	93.2
	131.2
	12.5
	341.0
	13,644.9

	13,644.9
	13,644.9

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33.4	6,123.7
	451.9
	2,919.2
	474.6
33.4	9,969.4

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\$ Line Item	
ASF	GF

439.7	1,200.2
29.0	25.7
82.7	106.8
9.0	23.1
6.0	1.6
	3.0
2,500.0	50.0
1.5	
3,067.9	1,410.4

3,067.9	428.7
	461.5
	73.5
	446.7
3,067.9	1,410.4

8,290.8	68,187.7
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(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

(10-02-00) Office of the Budget

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
 Development Projects
 Budget Automation - Operations
 Evaluation Projects
 Trans & Invest
 Workers Compensation
 Other Items
 Juvenile YRS
Contingency:
 One-Time Appropriations
 Contingency-Attorney Pay Plan
 Livable Delaware
 Prior Years' Obligations
 Compensation Commission
 Self Insurance
 Legal Fees
 Transition
 Personnel Costs - Salary Shortage
 Appropriated Special Funds
 Salary/OEC
 KIDS Count
 Great Beginnings
 Judicial Nominating Committee
 Elder Tax Relief and Education Expenses Fund
 Tax Relief and Education Expenses Fund
 Correctional Officer Task Force
 Capitol Police/DABCTE Agent Pay Plan
Federal Fiscal Relief:
 Advanced Planning and Acquisition Fund
 Federally Qualified Health Centers
 Innovative Technology Fund
Budget Commission
Debt Service

TOTAL -- Office of the Budget

TOTAL -- Office of the Budget

(-01) Office of the Budget
Administration
(-03) Insurance Coverage Office
(-04) Contingencies and One-Time
Items
(-06) Budget Commission
(-08) Statistical Analysis Center
TOTAL -- Internal Program Units

TOTAL -- Internal Program Units

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(10-03-00) Delaware Economic Development Office						
(10-03-01) Office of the Director						
		10.0				954.8
						23.6
						211.6
					150.0	
						16.0
						10.0
					1,500.0	
						5.0
						5.0
						50.0
						2.8
		10.0			1,650.0	1,278.8
TOTAL--Office of the Director						
(10-03-02) Delaware Tourism Office						
	10.0				522.0	
					20.2	
					880.5	
					8.5	
					10.0	
					75.0	
					200.0	
					0.5	
					0.8	
					0.8	
					0.8	
					250.0	
					5.0	
					35.0	
					2.5	
					45.0	
	10.0				2,056.6	
TOTAL -- Delaware Tourism Office						
(10-03-03) Delaware Economic Development Authority						
	4.0	31.0			239.1	1,830.1
					20.0	39.4
					634.0	
					10.0	14.9
					1.5	
					30.0	10.0
					125.0	
					350.0	
					300.0	
						225.0
						105.0
						50.0
						2,065.2
	4.0	31.0			1,709.6	4,339.6
TOTAL -- Delaware Economic Development Authority						
	14.0	41.0	TOTAL -- Delaware Economic Development Office		5,416.2	5,618.4

[illegible]

\$ Line Item	
ASF	GF

4,500.6	2,489.4
42.1	19.4
3,942.2	530.0
103.5	24.2
91.8	7.3
	150.0
	20.0
113.5	
	374.7
	13.6
140.0	
	2,927.8
	88.0
	39.0
5.0	
500.0	
560.0	
9,998.7	6,683.4

1,599.6	3,186.5
641.3	530.1
7,757.8	2,966.8
9,998.7	6,683.4

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	246.8
	20.1
	79.5
	6.5
	3.5
57.1	
1,500.0	
	5.0
	15.1
	2,067.5
	248.0
1,557.1	2,692.0

1,557.1	376.5
	2,067.5
	248.0
1,557.1	2,692.0

(10-00-00) EXECUTIVE

Personnel		
NSF	ASF	GF

14.2		12.8
14.2		12.8

(10-07-01) Criminal Justice Council

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

TOTAL -- Criminal Justice Council

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	755.6
	1.3
	25.6
	3.8
	8.9
176.5	23.1
	117.2
176.5	935.5

6.0	44.0	
6.0	44.0	

(10-08-01) Delaware State Housing Authority

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

TOTAL -- Delaware State Housing Authority

2,454.5	
99.5	
988.0	
60.0	
99.5	
265.0	
760.0	
28,800.0	3,337.0
500.0	
1,665.0	
6,000.0	
	72.1
41,691.5	3,409.1

39.2	155.5	168.1
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TOTAL -- EXECUTIVE

122,849.9	98,482.5
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(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-01-00) Office of the Chief Information Officer				
		4.0	Personnel Costs				463.1
			Travel				3.9
			Contractual Services				320.0
			Supplies and Materials				1.0
			Rental				20.0
		4.0	TOTAL -- Office of the Chief Information Officer				808.0
		4.0	(-01) Chief Information Officer		808.0		
		4.0	TOTAL -- Internal Program Unit		808.0		
			(11-02-00) Technology Office				
	7.5	90.5	Personnel Costs			320.0	8,188.2
			Travel			75.0	32.4
			Contractual Services			5,575.0	636.5
			Supplies and Materials			15.0	12.0
			Capital Outlay			40.0	
			Rental			2,415.0	1,214.0
	7.5	90.5	TOTAL -- Technology Office			8,440.0	10,083.1
	2.0	1.0	(-01) Chief Technology Officer		157.8		
		31.0	(-02) Application Delivery	2,620.0	3,458.0		
		24.5	(-03) System Engineering	1,010.0	2,124.0		
		27.0	(-04) Telecommunications	4,810.0	3,584.6		
		7.0	(-05) Customer Care		758.7		
	7.5	90.5	TOTAL -- Internal Program Units	8,440.0	10,083.1		
			(11-03-00) Operations Office				
	6.5	80.5	Personnel Costs			390.6	4,744.1
			Travel			39.7	30.2
			Contractual Services			11,605.6	1,575.2
			Energy				288.2
			Supplies and Materials			87.0	349.5
			Capital Outlay			98.6	9.3
			Debt Service				397.9
		80.5	Rental			3,134.5	12,018.8
	6.5	80.5	TOTAL -- Operations Office			15,356.0	19,413.2
	3.5	1.0	(-01) Chief Operating Officer	10,021.0	132.5		
		26.5	(-02) Business Office	857.4	2,895.8		
		53.0	(-04) Data Center and Operations	4,477.6	16,384.9		
	6.5	80.5	TOTAL -- Internal Program Units	15,356.0	19,413.2		

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

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-04-00) Office of Major Projects				
	2.0	23.0	Personnel Costs			155.3	1,540.7
			Travel				7.4
			Contractual Services				75.0
			Supplies and Materials				1.8
			Capital Outlay				1.0
			Rental				35.0
	2.0	23.0	TOTAL -- Office of Major Projects			155.3	1,660.9
		1.0	(-01) Director of Major Projects		252.7		
	2.0	17.0	(-02) Senior Project Management Team	75.3	1,166.6		
		5.0	(-03) Change Management Team	80.0	241.6		
	2.0	23.0	TOTAL -- Internal Program Units	155.3	1,660.9		
			(11-05-00) Office of Criminal Justice Technology				
		10.0	Personnel Costs				651.2
			Travel				3.8
			Contractual Services				337.4
			Supplies and Materials				14.9
		10.0	TOTAL -- Office of Criminal Justice Technology				1,007.3
		10.0	(-01) Office of the Director		1,007.3		
		10.0	TOTAL -- Internal Program Unit		1,007.3		
16.0 208.0			TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION			23,951.3	32,972.5

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NSF	ASF	GF
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\$ Program	
ASF	GF

\$ Line Item	
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

	442.1
	6.3
	22.8
	2.8
	7.7
	481.7

	6.0	36.0
	6.0	36.0

(12-02-01) Auditor of Accounts
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
TOTAL -- Auditor of Accounts

362.7	2,193.8
5.0	20.4
309.9	411.2
8.4	12.9
5.4	29.9
691.4	2,668.2

	25.0	
	25.0	

(12-03-00) Insurance Commissioner
(12-03-01) Regulatory Activities
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Other Items:
 Malpractice Review
TOTAL -- Regulatory Activities

1,782.2	
25.8	
276.6	
6.5	
20.1	
10.5	
2,121.7	

2.0	52.0	
2.0	52.0	

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

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

2,620.0	
72.0	
834.5	
38.5	
316.4	
39.9	
13,000.0	
16,921.3	

2.0	77.0	
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TOTAL -- Insurance Commissioner

19,043.0	
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NSF	ASF	GF	ASF	GF	ASF	GF
			(12-05-00) State Treasurer			
			(12-05-01) Administration			
	9.0	13.0			565.4	830.4
					20.2	6.6
					130.1	103.7
					9.4	9.9
					25.5	
					2,365.0	
					50.0	
					70.0	
	9.0	13.0			3,235.6	950.6
			TOTAL -- Administration			
			(12-05-03) Debt Management			
						358.9
						16,317.6
						26,566.4
						40.7
						17,668.6
						85.0
						61,037.2
	9.0	13.0			3,235.6	61,987.8
			TOTAL -- Debt Management			
			TOTAL -- State Treasurer			
2.0	92.0	55.0				22,970.0
						65,137.7
			TOTAL -- OTHER ELECTIVE			

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NSF	ASF	GF		ASF	GF
			(15-01-01) Office of Attorney General		
39.4	50.9	261.6	Personnel Costs	722.3	18,174.5
			Travel	0.1	13.7
			Contractual Services	659.6	1,378.5
			Energy		36.3
			Supplies and Materials	0.3	61.4
			Capital Outlay	75.1	17.0
			Tobacco:		
	2.0		Personnel Costs	148.8	
			Other Items:		
			Extradition		40.0
			Victims Rights	452.8	
			Medicaid Fraud Program	30.6	
			Securities Administration	618.8	
			AG Opinion Fund	15.0	
			Child Support	1,646.2	
			Consumer Protection	1,061.7	
39.4	52.9	261.6	TOTAL -- Office of Attorney General	5,431.3	19,721.4
			(15-02-01) Public Defender		
4.0		127.0	Personnel Costs		9,795.0
			Travel		1.7
			Contractual Services		567.2
			Energy		7.4
			Supplies and Materials		57.3
			Capital Outlay		3.8
4.0		127.0	TOTAL -- Public Defender		10,432.4
			(15-03-01) Board of Parole		
		7.0	Personnel Costs		361.6
			Travel		12.2
			Contractual Services		22.7
			Supplies and Materials		3.3
		7.0	TOTAL -- Board of Parole		399.8
43.4	52.9	395.6	TOTAL -- LEGAL	5,431.3	30,553.6

1 (20-00-00) DEPARTMENT OF STATE

3	Personnel			\$ Program		\$ Line Item	
4	NSF	ASF	GF	ASF	GF	ASF	GF

3	Personnel			\$ Program		\$ Line Item	
4	NSF	ASF	GF	ASF	GF	ASF	GF

3	Personnel			\$ Program		\$ Line Item	
4	NSF	ASF	GF	ASF	GF	ASF	GF

5 (20-01-00) Office of the Secretary

6		9.0	30.0	Personnel Costs	495.8	1,445.3
7				Travel	35.7	30.2
8				Contractual Services	795.0	221.4
9				Energy		36.1
10				Supplies and Materials	105.1	97.0
11				Capital Outlay	164.4	
12				Debt Service		223.8
13				Other Items:		
14				Delaware Heritage Commission		72.0
15		9.0	30.0	TOTAL -- Office of the Secretary	1,596.0	2,125.8

6		9.0	30.0	Personnel Costs	495.8	1,445.3
7				Travel	35.7	30.2
8				Contractual Services	795.0	221.4
9				Energy		36.1
10				Supplies and Materials	105.1	97.0
11				Capital Outlay	164.4	
12				Debt Service		223.8
13				Other Items:		
14				Delaware Heritage Commission		72.0
15		9.0	30.0	TOTAL -- Office of the Secretary	1,596.0	2,125.8

6		9.0	30.0	Personnel Costs	495.8	1,445.3
7				Travel	35.7	30.2
8				Contractual Services	795.0	221.4
9				Energy		36.1
10				Supplies and Materials	105.1	97.0
11				Capital Outlay	164.4	
12				Debt Service		223.8
13				Other Items:		
14				Delaware Heritage Commission		72.0
15		9.0	30.0	TOTAL -- Office of the Secretary	1,596.0	2,125.8

15	9.0	30.0	TOTAL -- Office of the Secretary	1,596.0	2,125.8
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17		9.0	5.0	(-01) Administration	1,485.0	448.4
18			6.0	(-02) Delaware Commission on		439.8
19				Veterans Affairs		
20			10.0	(-03) Delaware Veterans Memorial	90.0	685.6
21				Cemetery		
22			6.0	(-04) Veterans Cemetery	21.0	363.8
23				Georgetown		
24			3.0	(-05) Delaware Heritage Commission		188.2
25		9.0	30.0	TOTAL -- Internal Program Units	1,596.0	2,125.8

17		9.0	5.0	(-01) Administration	1,485.0	448.4
18			6.0	(-02) Delaware Commission on		439.8
19				Veterans Affairs		
20			10.0	(-03) Delaware Veterans Memorial	90.0	685.6
21				Cemetery		
22			6.0	(-04) Veterans Cemetery	21.0	363.8
23				Georgetown		
24			3.0	(-05) Delaware Heritage Commission		188.2
25		9.0	30.0	TOTAL -- Internal Program Units	1,596.0	2,125.8

17		9.0	5.0	(-01) Administration	1,485.0	448.4
18			6.0	(-02) Delaware Commission on		439.8
19				Veterans Affairs		
20			10.0	(-03) Delaware Veterans Memorial	90.0	685.6
21				Cemetery		
22			6.0	(-04) Veterans Cemetery	21.0	363.8
23				Georgetown		
24			3.0	(-05) Delaware Heritage Commission		188.2
25		9.0	30.0	TOTAL -- Internal Program Units	1,596.0	2,125.8

28 (20-02-00) Office of Human Relations

29	1.0	9.0	Personnel Costs		444.1
30			Travel		5.2
31			Contractual Services		20.5
32			Supplies and Materials		1.5
33			Other Items:		
34			Human Relations Annual Conference	10.0	
35	1.0	9.0	TOTAL -- Office of Human Relations	10.0	471.3

29	1.0	9.0	Personnel Costs		444.1
30			Travel		5.2
31			Contractual Services		20.5
32			Supplies and Materials		1.5
33			Other Items:		
34			Human Relations Annual Conference	10.0	
35	1.0	9.0	TOTAL -- Office of Human Relations	10.0	471.3

29	1.0	9.0	Personnel Costs		444.1
30			Travel		5.2
31			Contractual Services		20.5
32			Supplies and Materials		1.5
33			Other Items:		
34			Human Relations Annual Conference	10.0	
35	1.0	9.0	TOTAL -- Office of Human Relations	10.0	471.3

35	1.0	9.0	TOTAL -- Office of Human Relations	10.0	471.3
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87	1.0		9.0	(-01) Office of Human Relations	10.0	471.3
88	1.0		9.0	TOTAL -- Internal Program Unit	10.0	471.3

87	1.0		9.0	(-01) Office of Human Relations	10.0	471.3
88	1.0		9.0	TOTAL -- Internal Program Unit	10.0	471.3

87	1.0		9.0	(-01) Office of Human Relations	10.0	471.3
88	1.0		9.0	TOTAL -- Internal Program Unit	10.0	471.3

(20-03-00) Delaware Public Archives

42	7.0	32.0	Personnel Costs	353.6	1,443.5
43			Travel	4.0	1.8
44			Contractual Services	21.6	159.2
45			Supplies and Materials	15.0	82.0
46			Capital Outlay	7.5	41.1
47			Other Items:		
48			Document Conservation Fund		20.0
49			Historical Marker Maintenance		25.0
50			Debt Service		977.5
51	7.0	32.0	TOTAL -- Delaware Public Archives	401.7	2,750.1

42	7.0	32.0	Personnel Costs	353.6	1,443.5
43			Travel	4.0	1.8
44			Contractual Services	21.6	159.2
45			Supplies and Materials	15.0	82.0
46			Capital Outlay	7.5	41.1
47			Other Items:		
48			Document Conservation Fund		20.0
49			Historical Marker Maintenance		25.0
50			Debt Service		977.5
51	7.0	32.0	TOTAL -- Delaware Public Archives	401.7	2,750.1

42	7.0	32.0	Personnel Costs	353.6	1,443.5
43			Travel	4.0	1.8
44			Contractual Services	21.6	159.2
45			Supplies and Materials	15.0	82.0
46			Capital Outlay	7.5	41.1
47			Other Items:		
48			Document Conservation Fund		20.0
49			Historical Marker Maintenance		25.0
50			Debt Service		977.5
51	7.0	32.0	TOTAL -- Delaware Public Archives	401.7	2,750.1

51	7.0	32.0	TOTAL -- Delaware Public Archives	401.7	2,750.1
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	7.0	32.0	(-01) Delaware Public Archives	401.7	2,750.1
	7.0	32.0	TOTAL -- Internal Program Unit	401.7	2,750.1

	7.0	32.0	(-01) Delaware Public Archives	401.7	2,750.1
	7.0	32.0	TOTAL -- Internal Program Unit	401.7	2,750.1

	7.0	32.0	(-01) Delaware Public Archives	401.7	2,750.1
	7.0	32.0	TOTAL -- Internal Program Unit	401.7	2,750.1

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188.4	547.4 300.7
156.2	2,022.5
344.6	2,870.6

1 (20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(20-07-00) Arts			
3.0		6.0	Personnel Costs			356.9
			Travel			2.4
			Contractual Services			74.1
			Supplies and Materials			3.0
			Other Items:			
			Delaware Art			1,187.5
			Art for the Disadvantaged			10.0
3.0		6.0	TOTAL -- Arts			1,633.9
3.0		6.0	(-01) Office of the Director			1,633.9
3.0		6.0	TOTAL -- Internal Program Unit			1,633.9
			(20-08-00) Libraries			
9.0		12.0	Personnel Costs			588.9
			Travel			4.0
			Contractual Services			153.7
			Energy			8.7
			Supplies and Materials			21.6
			Capital Outlay			7.0
			Other Items:			
			Library Standards			2,869.5
			Delaware Electronic Library			390.0
			DELNET- Statewide			100.0
			Public Education Project			15.0
			Debt Service			774.8
9.0		12.0	TOTAL -- Libraries			4,933.2
9.0		12.0	(-01) Libraries			4,933.2
9.0		12.0	TOTAL -- Internal Program Unit			4,933.2
			(20-15-00) State Banking Commission			
	36.0		Personnel Costs		2,351.0	
			Travel		59.0	
			Contractual Services		362.0	
			Supplies and Materials		25.0	
			Capital Outlay		67.5	
	36.0		TOTAL -- State Banking Commission		2,864.5	
	36.0		(-01) State Banking Commission		2,864.5	
	36.0		TOTAL -- Internal Program Unit		2,864.5	
19.9	146.5	129.6	TOTAL -- DEPARTMENT OF STATE		15,788.2	14,784.9

(25-00-00) DEPARTMENT OF FINANCE

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(25-01-00) Office of the Secretary

		18.0
		18.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Information System Development
Debt Service

	1,461.8
	16.9
	184.0
	16.7
	1.5
1,845.0	
	1,807.3
1,845.0	3,488.2

TOTAL -- Office of the Secretary

		18.0
		18.0

(-01) Office of the Secretary

TOTAL -- Internal Program Unit

1,845.0	3,488.2
1,845.0	3,488.2

(25-05-00) Accounting

		36.0
		36.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
State Accounting Course

	2,277.3
	26.6
	432.3
	42.7
	62.1
	5.0
	2,846.0

TOTAL -- Accounting

		36.0
		36.0

(-01) Accounting

TOTAL -- Internal Program Unit

	2,846.0
	2,846.0

(25-06-00) Revenue

		201.0
	8.0	
	6.0	
	14.0	201.0

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

	9,896.0
	27.4
	1,465.2
	4.7
	129.9
	80.5
635.2	
1,470.5	
2,105.7	11,603.7

TOTAL -- Revenue

	14.0	201.0
	14.0	201.0

(-01) Revenue

TOTAL -- Internal Program Unit

2,105.7	11,603.7
2,105.7	11,603.7

(25-00-00) DEPARTMENT OF FINANCE

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(25-07-00) State Lottery Office

	30.0	
	30.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
TOTAL -- State Lottery Office

1,680.5	
50.0	
41,353.6	
47.9	
217.0	
43,349.0	

	30.0	
	30.0	

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

43,349.0	
43,349.0	

	44.0	255.0
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TOTAL -- DEPARTMENT OF FINANCE

47,299.7	17,937.9
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(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

Personnel		
NSF	ASF	GF

5.0	3.0	31.0
5.0	3.0	31.0

(30-01-00) Administration

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

TOTAL -- Administration

\$ Program	
ASF	GF

263.3	1,640.2
	36.2
	167.0
	335.0
	128.6
263.3	2,307.0

\$ Line Item	
ASF	GF

221.0	1,992.1
2.6	21.4
12.5	192.9
6.0	31.8
21.2	3.8
	65.0
263.3	2,307.0

5.0	3.0	24.0
		2.0
		4.0
		1.0
5.0	3.0	31.0

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

TOTAL -- Internal Program Units

(30-03-00) Regulation and Licensing

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

TOTAL -- Regulation and Licensing

	58.0	
	58.0	

3,722.4	
126.4	
2,698.6	
56.9	
160.4	
10.0	
54.5	
15.0	
6,844.2	

	23.0	
	31.0	
	4.0	
	58.0	

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

TOTAL -- Internal Program Units

2,535.7	
3,724.1	
584.4	
6,844.2	

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

Personnel		
NSF	ASF	GF

(30-04-00) Support Services

2.0	59.0	32.5
2.0	59.0	32.5

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

TOTAL -- Support Services

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

2,546.8	1,476.2
14.1	1.7
4,429.5	249.8
4.7	22.3
1,825.0	28.8
4,820.5	2.6
613.8	
14,254.4	1,781.4

		9.0
	18.0	
	32.0	
		5.5
		14.0
	5.0	
2.0	4.0	4.0
2.0	59.0	32.5

(-10) Mail/Courier Services
(-30) Printing and Publishing
(-40) Fleet Management
(-50) Service and Information Guide
(-60) Contracting
(-70) Delaware Surplus Services
(-80) Food Distribution

TOTAL -- Internal Program Units

1,949.3	424.5
2,246.8	
8,772.2	
72.7	338.0
100.0	794.9
303.0	
810.4	224.0
14,254.4	1,781.4

(30-05-00) Facilities Management

	3.0	88.0
	3.0	88.0

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

TOTAL -- Facilities Management

151.2	4,069.9
24.9	5.0
193.8	7,961.8
	5,032.5
221.1	1,714.8
121.4	20.0
	20,998.9
712.4	39,802.9

	3.0	88.0
	3.0	88.0

(-10) Facilities Management

TOTAL -- Internal Program Unit

712.4	39,802.9
712.4	39,802.9

TOTAL -- DEPARTMENT OF

ADMINISTRATIVE SERVICES

7.0	123.0	151.5
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22,074.3	43,891.3
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(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(35-01-00) Administration

53.4	35.6	423.7
53.4	35.6	423.7

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

1,237.9	18,930.2
12.7	4.6
785.9	4,255.6
	130.9
98.5	913.5
215.0	21.2
269.2	
232.8	
	20.0
	570.4
879.8	
	1,526.3
3,731.8	26,372.7

TOTAL -- Administration

	1.0	8.0
53.4	34.6	134.6
		281.1
53.4	35.6	423.7

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

150.8	600.4
2,701.2	10,264.4
879.8	15,507.9
3,731.8	26,372.7

(35-04-00) Medical Examiner

		36.0
	1.0	
	1.0	36.0

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

	2,479.1
	20.1
	169.1
	73.6
	495.7
	38.6
	50.1
	3,326.3

TOTAL -- Medical Examiner

	1.0	36.0
	1.0	36.0

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

	3,326.3
	3,326.3

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-05-00) Public Health			
230.7	53.8	1,228.1			238.0	54,436.8
						19.9
					500.0	7,935.4
						1,318.9
					60.0	3,699.7
						119.1
					169.0	
					9,480.4	
					0.5	
					83.1	
					500.0	
					1,655.2	
					114.0	
						50.0
					15.0	
					105.0	
					550.0	
					100.0	78.0
					20.0	
						256.5
					80.0	4,698.3
						40.0
						128.2
						64.6
						40.0
					850.0	
					14.7	
					60.0	
					205.0	
					150.0	
					1,500.0	
					45.0	
					325.0	
					1,200.0	
					431.4	
					21.0	
					400.0	
					160.0	
					22.0	
					559.0	
					1,200.0	
					10,000.0	
						5.8
230.7	53.8	1,228.1	TOTAL -- Public Health		30,813.3	72,891.2
3.0	9.0	48.0	(-10) Director's Office/Support Services		1,620.9	3,093.6
225.7	44.8	305.1	(-20) Community Health		28,385.9	25,072.2
2.0		9.0	(-30) Emergency Medical Services		133.5	1,316.3
		564.0	(-40) Delaware Hospital for the Chronically Ill		528.6	28,269.8
		166.0	(-50) Emily Bissell		144.4	8,492.2
		136.0	(-60) Governor Bacon			6,647.1
230.7	53.8	1,228.1	TOTAL -- Internal Program Units		30,813.3	72,891.2

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

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
3.8	8.0	785.4	(35-06-00) Substance Abuse and Mental Health				
			Personnel Costs			364.9	38,448.5
			Travel				20.8
			Contractual Services			1,438.3	27,650.1
			Energy				836.8
			Supplies and Materials			100.6	4,389.2
			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
			DOC Assessments			300.0	
			Debt Service				426.1
3.8	8.0	785.4	TOTAL -- Substance Abuse and Mental Health			2,912.8	73,558.2
2.0		44.0	(-10) Administration	60.0	3,011.0		
1.0		119.0	(-20) Community Mental Health	1,100.0	23,844.4		
0.8	1.0	588.4	(-30) Delaware Psychiatric Center	168.0	36,316.8		
	7.0	34.0	(-40) Substance Abuse	1,584.8	10,386.0		
3.8	8.0	785.4	TOTAL -- Internal Program Units	2,912.8	73,558.2		

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(35-07-00) Social Services						
310.3	2.0	278.7				13,529.2
						9.1
						6,098.4
						53.0
						103.9
						82.9
					6,900.0	
					1,171.2	
					988.7	
					1,277.6	
					150.2	
					249.0	2,168.8
						3,280.4
					500.0	2,282.4
						24,854.6
						798.9
						2,499.8
					16,400.0	336,181.7
						2,493.1
					500.0	
					585.2	
						1,370.0
						1,450.0
310.3	2.0	278.7	TOTAL -- Social Services		28,721.9	397,256.2

310.3	2.0	278.7	(-01) Social Services	28,721.9	397,256.2
310.3	2.0	278.7	TOTAL -- Internal Program Unit	28,721.9	397,256.2

NSF
32,291.0

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

			(35-08-00) Visually Impaired			
26.6	3.0	40.4	Personnel Costs		104.0	2,122.0
			Travel			3.1
			Contractual Services		1.5	427.2
			Energy			51.2
			Supplies and Materials			78.2
			Capital Outlay		4.0	39.1
			Other Items:			
			BEP Unassigned Vending		175.0	
			BEP Independence		450.0	
			BEP Vending		425.0	
26.6	3.0	40.4	TOTAL -- Visually Impaired		1,159.5	2,720.8
26.6	3.0	40.4	(-01) Visually Impaired Services	1,159.5	2,720.8	
26.6	3.0	40.4	TOTAL -- Internal Program Unit	1,159.5	2,720.8	

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(35-09-00) Long Term Care Residents Protection						
19.9		43.1				2,232.9
						12.3
						559.4
						7.8
						15.8
						20.3
19.9		43.1				2,848.5
TOTAL -- Long Term Care Residents Protection						
19.9		43.1		2,848.5		
19.9		43.1		2,848.5		
(35-10-00) Child Support Enforcement						
141.2	27.2	45.6			1,184.1	2,019.1
					5.7	3.9
					401.5	376.0
					20.0	9.3
					23.0	9.8
					27.9	2.1
					25.0	
141.2	27.2	45.6			1,687.2	2,420.2
TOTAL -- Child Support Enforcement						
141.2	27.2	45.6	1,687.2	2,420.2		
141.2	27.2	45.6	1,687.2	2,420.2		
(35-11-00) Developmental Disabilities Services						
3.0	1.0	676.6			30.3	30,133.1
						22.6
					1,300.0	3,727.9
						516.1
						1,255.8
						146.6
						30.0
						9.6
					150.0	
					1,108.0	19,860.9
						5,931.8
						526.2
						15.0
3.0	1.0	676.6			2,588.3	62,175.6
TOTAL -- Developmental Disabilities Services						
3.0	1.0	62.0	30.3	3,370.7		
		461.0	150.0	24,191.2		
		153.6	2,408.0	34,613.7		
3.0	1.0	676.6	2,588.3	62,175.6		
TOTAL -- Internal Program Units						

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(35-12-00) State Service Centers						
25.0		109.6				4,835.2
						6.1
					419.7	1,583.9
					54.2	543.3
					64.1	58.3
					39.8	17.3
						385.8
						29.4
						128.5
						1,630.6
						50.0
						50.0
						262.7
25.0		109.6			585.6	9,581.1
TOTAL -- State Service Centers						
10.3		75.3		3,789.1		
		14.0	585.6	2,012.9		
8.0		2.0		2,025.9		
6.7		18.3		1,753.2		
25.0		109.6	585.6	9,581.1		
TOTAL -- Internal Program Units						
(35-14-00) Services for Aging and Adults with Physical Disabilities						
51.9		62.3				3,129.5
						5.0
						4,966.4
						12.4
						47.0
						5.8
					351.2	
					261.0	3.0
						589.9
						249.1
51.9		62.3			612.2	9,008.1
TOTAL -- Services for Aging and Adults with Physical Disabilities						
51.9		62.3	612.2	9,008.1		
51.9		62.3	612.2	9,008.1		
TOTAL -- Internal Program Unit						
TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES						
865.8	131.6	3,729.5			72,812.6	662,158.9

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

Personnel		
NSF	ASF	GF

28.6	33.5	128.2
28.6	33.5	128.2

(37-01-00) Management Support Services

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

TOTAL -- Management Support Services

\$ Program	
ASF	GF

532.8	2,016.9
741.9	466.5
434.9	1,074.6
353.4	1,964.5
131.9	817.8
450.0	3,209.5
616.7	909.6
3,261.6	10,459.4

\$ Line Item	
ASF	GF

1,732.9	7,765.3
19.7	8.1
1,028.0	2,009.3
64.9	176.5
27.0	26.3
	362.3
187.0	
102.1	
100.0	
	111.6
3,261.6	10,459.4

4.0	8.0	23.0
	1.0	2.0
10.3	8.5	20.7
2.0	3.0	21.0
	2.0	13.0
	6.0	41.5
12.3	5.0	7.0
28.6	33.5	128.2

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

(37-04-00) Child Mental Health Services

8.0	21.0	182.6
8.0	21.0	182.6

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

TOTAL -- Child Mental Health Services

1,198.2	10,618.8
8.4	11.9
10,155.3	9,836.7
	189.2
22.7	260.6
2.0	9.7
	588.5
16.0	
11,402.6	21,515.4

8.0	21.0	78.1
		37.5
		67.0
8.0	21.0	182.6

(-10) Managed Care Organization
(-30) Periodic Treatment
(-40) 24 Hour Treatment
TOTAL -- Internal Program Units

1,606.0	5,442.8
3,683.8	8,174.4
6,112.8	7,898.2
11,402.6	21,515.4

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

Personnel		
NSF	ASF	GF

15.0	21.0	354.1
15.0	21.0	354.1

6.0		10.1
9.0	6.0	89.5
	15.0	254.5
15.0	21.0	354.1

110.9	29.5	303.0
110.9	29.5	303.0

24.9	1.5	56.6
76.0	4.0	17.0
1.0	12.0	96.4
9.0	12.0	133.0
110.9	29.5	303.0

(37-05-00) Youth Rehabilitative Services

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

TOTAL -- Youth Rehabilitative Services

(-10) Office of the Director
(-30) Community Services
(-50) Secure Care
TOTAL -- Internal Program Units

\$ Program	
ASF	GF

1.1	705.9
2,210.9	16,517.9
1,349.1	18,076.0
3,561.1	35,299.8

\$ Line Item	
ASF	GF

1,068.1	18,236.1
10.5	19.1
2,398.5	13,307.8
	485.0
84.0	735.7
	17.5
	2,498.6
3,561.1	35,299.8

(37-06-00) Family Services

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

TOTAL -- Family Services

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

985.9	4,417.1
358.4	1,367.5
656.4	5,492.8
2,551.5	18,042.7
4,552.2	29,320.1

1,581.4	15,669.9
26.1	2.2
2,598.9	1,159.1
	9.7
26.5	72.2
6.0	14.3
	11,467.3
	894.4
	31.0
313.3	
4,552.2	29,320.1

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

162.5	105.0	967.9
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22,777.5	96,594.7
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(38-00-00) DEPARTMENT OF CORRECTION

Personnel		
NSF	ASF	GF

(38-01-00) Administration

		270.0
		270.0

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

TOTAL -- Administration

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

25.0	13,529.5
	14.6
	1,351.6
	61.9
	6,693.6
	26.2
	24,878.1
	80.0
	4,284.3
	15.4
1,501.1	
96.0	
25.0	52,532.3

		15.0
		50.0
		45.0
		82.0
		78.0
		270.0

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

AL -- Internal Program Units

25.0	1,079.2 2,655.8 4,750.3 11,023.4 24,958.1 4,284.3 3,781.2
25.0	52,532.3

(38-04-00) Prisons

	12.0	1,733.6
	12.0	1,733.6

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
 Population Contingency
 Garment Shop
 Gate Money
 Drug Testing
 Prison Arts
 DCC Fence
Debt Service

TOTAL -- Prisons

742.0	81,288.0
9.0	12.3
848.4	2,973.4
10.2	4,420.3
1,322.2	3,069.7
177.0	
	1,015.5
200.0	
	19.0
	42.3
	53.0
	23.0
	11,906.0
3,308.8	104,822.5

		9.0
		25.0
		738.0
		401.0
		97.0
		377.0
		53.0
	7.0	14.0
	5.0	5.0
		14.6
	12.0	1,733.6

- (-01) Bureau Chief - Prisons
- (-02) John L. Webb Correctional Facility
- (-03) Delaware Correctional Center
- (-04) Sussex Correctional Institution
- (-05) Delores J. Baylor Correctional Institution
- (-06) Howard R. Young Correctional Institution
- (-08) Transportation
- (-09) Prison Industries
- (-10) Inmate Construction
- (-11) Education

AL -- Internal Program Units

	1,868.2
1.0	1,459.2
1.0	46,408.6
	21,855.7
2.7	6,338.1
	19,994.0
	4,496.3
1,644.7	815.5
1,658.4	265.4
1.0	1,321.5
3,308.8	104,822.5

(38-00-00) DEPARTMENT OF CORRECTION

Personnel		
NSF	ASF	GF
		609.0
		609.0

(38-06-00) Community Corrections

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

TOTAL -- Community Corrections

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			31,053.2
			25.6
		374.0	3,616.9
			409.1
		25.0	549.4
			26.4
			1,086.6
		399.0	36,767.2

		16.0
		311.0
		39.0
		44.0
		32.0
		42.0
		42.0
		48.0
		35.0
		609.0

(-01) Bureau Chief - Community Corrections
(-02) Probation and Parole
(-04) House Arrest
(-06) Plummer Work Release Center
(-07) Sussex Work Release Center
(-08) Kent County Work Release Center
(-09) Sussex Violation of Probation Center
(-10) Central Violation of Probation Center
(-11) New Castle Women's Work Release Center
TOTAL -- Internal Program Units

	1,869.2
344.0	18,533.8
	2,443.7
1.0	2,802.4
50.0	1,998.6
4.0	2,306.3
	2,784.2
	2,418.3
	1,610.7
399.0	36,767.2

TOTAL -- DEPARTMENT OF CORRECTION

	12.0	2,612.6
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3,732.8	194,122.0
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125.2	175.1
4,107.6	1,511.4
357.1	1,704.0
219.5	836.9
734.3	1,790.4
5,543.7	6,017.8

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(40-06-00) Parks and Recreation						
1.0	64.0	106.0			4,742.5	5,554.9
					30.8	5.2
					1,639.3	832.4
					37.9	393.4
					853.1	283.4
					246.1	
					440.0	
					555.0	
					706.5	
					3,000.0	
						1,230.2
1.0	64.0	106.0			12,251.2	8,299.5
TOTAL -- Parks and Recreation						
	3.0	10.0	199.5	506.9		
	43.0	45.0	9,934.6	4,009.7		
	9.0	9.0	1,196.0	503.2		
1.0	8.0	16.0	776.4	1,051.8		
	1.0	26.0	144.7	2,227.9		
1.0	64.0	106.0	12,251.2	8,299.5		
TOTAL -- Internal Program Units						
(40-07-00) Soil and Water Conservation						
15.8	2.5	45.7			110.8	2,654.6
					5.0	5.9
					1,221.9	839.9
						14.7
					44.0	201.6
					39.0	
						162.5
					6,600.0	
						95.0
						225.0
						645.8
15.8	2.5	45.7			8,020.7	4,845.0
TOTAL -- Soil and Water Conservation						
1.5		4.5	160.0	326.3		
		9.0	10.0	1,425.6		
1.8		25.2	7,669.5	1,690.6		
2.5	2.5	6.0	171.2	1,336.1		
10.0		1.0	10.0	66.4		
15.8	2.5	45.7	8,020.7	4,845.0		
TOTAL -- Internal Program Units						

*Pursuant to Section 3921, Title 7, Delaware Code

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

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
(40-08-00) Water Resources							
29.3	62.7	68.0	Personnel Costs			2,392.7	4,278.3
			Travel			38.0	40.2
			Contractual Services			716.0	1,413.0
			Energy			1.0	9.0
			Supplies and Materials			219.0	91.9
			Capital Outlay			241.0	40.0
			Other Items:				
			Inland Bays Research				102.3
			Delaware Estuary				38.0
			Other Items			65.1	
			Water Resources Agency				280.5
			SRF Future Administration			300.0	
			Board of Certification			14.0	
			Debt Service				1,379.2
29.3	62.7	68.0	TOTAL -- Water Resources			3,986.8	7,672.4
11.3	10.5	8.2	(-01) Management and Support -	776.6	2,699.9		
0.5	24.5	16.0	Water Resources				
2.0	8.0	6.0	(-02) Environmental Laboratory	1,489.8	1,124.5		
5.0	12.0	8.0	(-04) Surface Water Discharges	473.9	526.9		
6.3	4.7	8.0	(-05) Ground Water Discharges	704.3	473.1		
4.2		16.8	(-06) Water Supply	254.8	454.5		
			(-07) Watershed Assessment		2,036.0		
	3.0	5.0	(-08) Wetlands and Subaqueous				
			Lands	287.4	357.5		
29.3	62.7	68.0	TOTAL -- Internal Program Units	3,986.8	7,672.4		

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(40-09-00) Air and Waste Management			
57.0	94.7	58.3			2,785.5	3,918.1
					78.0	16.7
					1,320.0	291.5
					10.0	91.7
					335.9	91.7
					242.0	4.9
					300.0	
					1,200.0	
					7,960.5	
					100.0	
					30.0	14.4
					350.0	
					100.0	
					54.8	
					180.9	
					525.8	
					164.8	
					141.2	
					50.0	
						50.0
					834.8	
						3.9
57.0	94.7	58.3	TOTAL - Air and Waste Management		16,764.2	4,482.9
3.0	13.5	11.5	(-01) Management and Support - Air and Waste		1,348.2	1,017.2
16.3	45.9	12.8	(-02) Air Quality Management		3,340.9	1,111.0
36.7	33.3	24.0	(-03) Waste Management		10,838.4	1,705.2
1.0	2.0	10.0	(-04) Emergency Prevention and Response		1,236.7	649.5
57.0	94.7	58.3	TOTAL -- Internal Program Units		16,764.2	4,482.9
			TOTAL -- DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL			
142.3	286.7	379.0			49,731.7	35,737.4

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement						
	2.0	13.0			50.2	699.6
					2.8	3.4
					43.3	94.6
					2.3	12.1
					2.0	3.0
	4.0				235.0	
					20.0	
					125.0	
					89.0	
					30.0	
					10.0	
	6.0	13.0			609.6	812.7
TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement						
	6.0	13.0				
	6.0	13.0	609.6	812.7		
	6.0	13.0	609.6	812.7		
(45-06-00) State Police						
30.2	38.7	766.1			3,814.7	57,592.3
					146.8	43.3
					699.3	2,763.1
					658.3	1,935.5
					67.0	1,506.8
					87.5	
						50.0
						18,420.0
						75.0
						15.0
						90.0
					674.8	
						1,396.2
30.2	38.7	766.1			6,148.4	83,887.2
TOTAL -- State Police						
		60.0	554.6	23,501.7		
		8.0		1,506.0		
	15.2	321.8	2,685.8	27,027.3		
26.0		145.0	619.0	12,131.5		
	7.0	36.0	896.8	3,691.7		
		24.0		2,829.2		
4.2	1.0	12.8	38.3	918.1		
	12.0	32.0	940.8	1,747.3		
		12.0	14.0	1,455.9		
	3.5	88.5	168.6	5,388.2		
		14.0	174.7	2,948.3		
		12.0	55.8	742.0		
30.2	38.7	766.1	6,148.4	83,887.2		
TOTAL - Internal Program Units						
TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY						
58.5	47.7	899.8			7,555.3	92,233.5

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

(55-01-00) Office of the Secretary

(55-01-01) Office of the Secretary

	11.0	
	11.0	

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

818.8
29.7
161.0
1,009.5

(55-01-02) Finance

1.0	37.0	
1.0	37.0	

Personnel Costs
Operations/Capital
TOTAL -- Finance

2,189.6
980.6
3,170.2

(55-01-03) Public Relations

	14.0	
	14.0	

Personnel Costs
Operations/Capital
TOTAL -- Public Relations

763.7
112.2
875.9

(55-01-04) Human Resources

	26.0	
	26.0	

Personnel Costs
Travel
Capital Outlay
Contractual/Supplies
TOTAL -- Human Resources

1,321.9
2.3
1.0
705.5
2,030.7

1.0	88.0	
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TOTAL -- Office of the Secretary

7,086.3

(55-02-00) Technology and Support Services

(55-02-01) Administration

1.0	37.0	
1.0	37.0	

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

1,857.0
25.7
513.9
18.0
1,255.7
3,670.3

(55-02-03) Office of Information Technology

	56.0	
	56.0	

Personnel Costs
Travel
Capital Outlay
Contractual/Supplies
TOTAL -- Office of Information Technology

3,649.8
25.3
842.9
7,111.1
11,629.1

1.0	93.0	
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TOTAL -- Technology and Support Services

15,299.4

(55-03-00) Planning

(55-03-01) Planning

	72.0	19.0
	72.0	19.0

Personnel Costs
Operations/Capital
TOTAL -- Planning

4,429.8
830.3
5,260.1

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

(55-04-00) Maintenance and Operations

(55-04-01) Office of the Director

	25.0	
	25.0	

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

1,395.6
94.6
1,490.2

(55-04-70) Maintenance Districts

	727.0	25.0
	727.0	25.0

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

30,811.4
961.6
234.5
15,141.1
3,041.0
50,189.6

(55-04-90) Toll Administration

	139.0	
	139.0	

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

5,754.9
26.0
495.2
91.0
2,208.7
5,250.0
13,825.8

	891.0	25.0
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TOTAL -- Maintenance and Operations

65,505.6

* The Cumulative Turnpike Operating Reserve Fund is established at \$1,310.4.

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

(55-08-00) Transportation Solutions

(55-08-10) Project Teams

	51.0	88.0	Personnel Costs	3,459.6
	51.0	88.0	TOTAL -- Project Teams	3,459.6

(55-08-20) Design/Quality

	17.0	31.0	Personnel Costs	1,334.5
	17.0	31.0	TOTAL -- Design/Quality	1,334.5

(55-08-30) Engineering Support

	53.0	65.0	Personnel Costs	3,413.1
			Travel	51.5
			Capital Outlay	60.1
			Contractual/Supplies	245.0
	53.0	65.0	TOTAL -- Engineering Support	3,769.7

(55-08-40) Traffic

	83.0	Personnel Costs	4,517.5
		Energy	1,054.3
		Capital Outlay	22.7
		Contractual/Supplies	1,005.1
	83.0	TOTAL -- Traffic	6,599.6

	204.0	184.0	TOTAL -- Transportation Solutions	15,163.4
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(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

(55-11-00) Motor Vehicles
(55-11-10) Administration

	21.0	
	21.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Motorcycle Safety
Off Highway Vehicles
TOTAL -- Administration

1,027.8
10.1
219.2
10.4
0.1
104.5
1.0
1,373.1

(55-11-20) Driver Services

3.0	70.0	
3.0	70.0	

Personnel Costs
Contractual Services
Supplies and Materials
CDL Fees
TOTAL -- Driver Services

2,937.6
82.0
26.3
207.3
3,253.2

(55-11-30) Vehicle Services

	128.0	
	128.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Odometer Forms
Special License Plates
DMVT
TOTAL -- Vehicle Services

5,253.9
10.0
1,117.2
889.9
464.0
6.0
25.0
150.0
7,916.0

(55-11-50) Motor Fuel Tax Administration

1.0	21.0	
1.0	21.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
TOTAL -- Motor Fuel Tax Administration

1,082.7
25.0
290.2
29.1
1,427.0

4.0	240.0	
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TOTAL -- Motor Vehicles

13,969.3

**TOTAL -- DEPARTMENT OF
TRANSPORTATION**

6.0	1,591.0	228.0
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273,228.4

(60-00-00) DEPARTMENT OF LABOR

Personnel		
NSF	ASF	GF

13.5	30.7	8.8
13.5	30.7	8.8

(60-01-00) Administration

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

TOTAL -- Administration

\$ Program	
ASF	GF

1,127.7	395.3
138.7	
10.0	299.4
1,645.8	96.9
2,783.5	930.3

\$ Line Item	
ASF	GF

1,767.6	713.2
16.0	2.4
862.0	204.9
77.4	9.8
50.5	
10.0	
2,783.5	930.3

13.5	10.7	1.3
13.5		2.5
	20.0	1.0
13.5	30.7	8.8

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

(60-06-00) Unemployment Insurance

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

TOTAL -- Unemployment Insurance

134.0	4.0	
134.0	4.0	

156.1	
0.1	
171.8	
1.0	
2.0	
7.2	
95.8	
434.0	

134.0	4.0	
134.0	4.0	

(-01) Unemployment Insurance
TOTAL -- Internal Program Unit

434.0	
434.0	

(60-07-00) Industrial Affairs

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

TOTAL -- Industrial Affairs

8.0	55.0	
8.0	55.0	

3,000.8	
30.8	
815.0	
41.0	
36.6	
5,600.0	
9,524.2	

6.0	35.0	
2.0	20.0	
8.0	55.0	

(-01) Office of Workers' Compensation,
Safety and Health
(-02) Office of Labor Law Enforcement
TOTAL -- Internal Program Units

8,368.8	
1,155.4	
9,524.2	

(60-00-00) DEPARTMENT OF LABOR

Personnel		
NSF	ASF	GF

122.0	6.0	2.0
122.0	6.0	2.0

(60-08-00) Vocational Rehabilitation

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

TOTAL -- Vocational Rehabilitation

83.0	6.0	2.0
39.0		
122.0	6.0	2.0

(-10) Vocational Rehabilitation Services
(-20) Disability Determination Services
TOTAL -- Internal Program Units

\$ Program	
ASF	GF

845.9	2,557.6
845.9	2,557.6

\$ Line Item	
ASF	GF

334.5	80.7
	0.3
436.4	2,080.0
75.0	76.9
	306.7
	13.0
845.9	2,557.6

(60-09-00) Employment and Training

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

TOTAL -- Employment and Training

89.9	4.0	24.1
89.9	4.0	24.1

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

2,555.1	2,710.7
2,555.1	2,710.7

184.9	955.5
4.2	6.1
88.1	355.0
	1.9
6.2	12.6
13.4	3.8
	235.2
	181.6
	959.0
2,258.3	
2,555.1	2,710.7

367.4	99.7	34.9
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TOTAL -- DEPARTMENT OF LABOR

16,142.7	6,198.6
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(65-00-00) DEPARTMENT OF AGRICULTURE

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(65-01-00) Agriculture

16.2	35.5	85.3
16.2	35.5	85.3

Personnel Costs	2,471.8	4,736.7
Travel	67.9	32.7
Contractual Services	405.7	450.2
Energy	7.8	93.0
Supplies and Materials	144.9	143.7
Capital Outlay	289.0	26.0
Other Items:		
Information, Education & Certification		221.0
Nutrient Management Planning		451.8
Poultry Litter Transport		246.0
Agriculture Advertising		50.0
Agriculture Development Program		17.7
Laurel Auction		9.5
Alternative Agriculture Projects		15.0
Cooperative Advertising		40.0
Plant Pest Survey & Control		107.2
Educational Assistance	15.0	
Revenue Refund	4.0	
Fingerprinting	110.5	
Equine Drug Testing	820.0	
County Rollback	40.2	
Debt Service		86.3
TOTAL -- Agriculture	4,376.8	6,726.8

1.0	19.0	
7.0		
7.2	12.5	6.3
4.5	3.5	17.0
1.0	5.5	
3.0	6.0	
		4.0
	0.5	13.5
		7.0
	4.5	
		8.0
0.5		3.5
	2.0	
16.2	35.5	85.3

(-01) Administration	226.4	1,694.0
(-02) Agriculture Compliance	12.2	372.8
(-03) Food Products Inspection	798.7	374.1
(-04) Forest Service	499.1	956.1
(-05) Harness Racing Commission	1,171.9	
(-06) Pesticides	406.6	
(-07) Planning		348.0
(-08) Plant Industries	115.8	916.3
(-09) Poultry and Animal Health		442.8
(-10) Thoroughbred Racing Commission	1,070.6	
(-11) Weights and Measures		457.2
(-12) Nutrient Management		1,165.5
(-13) Agricultural Lands Preservation Foundation	75.5	
TOTAL -- Internal Program Units	4,376.8	6,726.8

TOTAL -- DEPARTMENT OF AGRICULTURE

16.2	35.5	85.3
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4,376.8	6,726.8
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(70-00-00) DEPARTMENT OF ELECTIONS

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(70-01-01) Commissioner of Elections			
1.0		11.0				545.6
						1.3
						281.8
						19.4
						0.8
						17.0
						20.0
						350.0
1.0		11.0	TOTAL -- Commissioner of Elections			1,235.9
			(70-02-01) New Castle County Department of Elections			
		17.0				848.2
						13.1
						199.9
						14.1
						9.7
						3.5
		17.0	TOTAL -- New Castle County Department of Elections			1,088.5
			(70-03-01) Kent County Department of Elections			
		8.0				450.5
						1.5
						135.8
						12.0
						5.1
						1.5
						3.0
		8.0	TOTAL -- Kent County Department of Elections			609.4
			(70-04-01) Sussex County Department of Elections			
		7.0				427.6
						1.4
						68.0
						12.2
						2.0
						2.1
		7.0	TOTAL -- Sussex County Department of Elections			513.3
1.0		43.0	TOTAL -- DEPARTMENT OF ELECTIONS			3,447.1

(75-00-00) FIRE PREVENTION COMMISSION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(75-01-01) Office of the State Fire Marshal			
	29.2	23.8			1,435.1	1,443.9
					34.0	
					365.3	107.1
						46.2
					71.0	37.5
					281.1	10.8
					1.5	
						2.0
						200.3
	29.2	23.8	TOTAL -- Office of the State Fire Marshal		2,188.0	1,847.8
			(75-02-01) State Fire School			
		17.0				983.3
						384.0
						120.8
						75.0
					50.0	
						5.0
						10.0
						30.0
						246.7
		17.0	TOTAL -- State Fire School		50.0	1,854.8
			(75-03-01) State Fire Prevention Commission			
		1.0				51.3
						25.5
						25.0
						2.6
						100.0
						9.0
					7.0	7.2
					4.0	
		1.0	TOTAL -- State Fire Prevention Commission		11.0	220.6
	29.2	41.8	TOTAL -- FIRE PREVENTION COMMISSION		2,249.0	3,923.2

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NSF	ASF	GF	ASF	GF
(76-01-01) Delaware National Guard				
77.3		30.0		2,156.5
				6.7
				250.4
				475.0
				91.5
				3.0
				490.0
				12.2
				165.2
77.3		30.0		3,650.5
TOTAL -- DELAWARE NATIONAL				

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

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		2.0
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Personnel Costs
Travel
Contractual Services
Supplies and Materials

	96.4
	6.0
	11.2
	3.1

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

		2.0
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	116.7
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(90-00-00) HIGHER EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(90-01-00) University of Delaware						
(90-01-01) University of Delaware						
						85,144.0
						8,180.0
						3,313.6
						9,312.7
						83.1
						38.0
						4,625.0
						110,696.4
(90-01-02) Delaware Geological Survey						
						1,219.7
						83.0
						1,302.7
TOTAL -- University of Delaware						
						111,999.1
(90-03-00) Delaware State University						
(90-03-01) Operations						
						25,536.4
						125.0
						211.7
						57.0
						50.0
						154.3
						238.6
						220.0
						50.0
						506.0
						133.1
						922.8
						1,479.7
						4,990.1
						115.2
						34,789.9
(90-03-05) Sponsored Programs and Research						
TOTAL -- Delaware State University						
						34,789.9

(90-00-00) HIGHER EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(90-04-00) Delaware Technical and Community College						
(90-04-01) Office of the President						
11.0		43.0				5,399.7
						83.1
						25.0
						36.8
						50.0
						40.0
						276.6
						1,517.1
						426.4
11.0		43.0				7,854.7
TOTAL -- Office of the President						
(90-04-02) Owens Campus						
59.0		191.0				13,290.4
						326.0
						48.2
						184.8
						31.2
						1,463.2
						16.8
						55.1
59.0		191.0				15,415.7
TOTAL -- Owens Campus						
(90-04-04) Wilmington Campus						
41.0		154.0				10,396.9
						361.6
						149.8
						27.5
						35.1
						1,426.6
						78.8
						17.2
41.0		154.0				12,493.5
TOTAL -- Wilmington Campus						

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(90-04-05) Stanton Campus
 Personnel Costs
 Energy
 Aid to Needy Students
 Grants
 Work Study
 Debt Service
TOTAL -- Stanton Campus

\$ Line Item	
ASF	GF
	12,998.1
	162.2
	134.8
	22.5
	36.1
	69.3
	13,423.0

(90-04-06) Terry Campus
 Personnel Costs
 Contractual Services
 Energy
 Aid to Needy Students
 Work Study
 Grants
 Debt Service
 Day Care Training
TOTAL -- Terry Campus

	8,118.8
	206.7
	358.8
	158.3
	21.7
	21.0
	397.6
	6.0
	9,288.9

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

	58,475.8
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	233.7
	233.7

TOTAL -- HIGHER EDUCATION

	205,498.5
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\$ Line Item	
ASF	GF

70.6	1.0	115.2
		1.0
		1.0
		2.5
	1.0	
70.6	2.0	119.7

Personnel Costs		10,644.8
Travel		35.8
Contractual Services		401.3
Supplies and Materials		36.6
Capital Outlay		37.6
State Board of Education		232.1
Tobacco:		
Prevention/Education	267.7	
Other Items:		
Infrastructure Capacity		600.0
Educator Accountability		1,220.0
Family Involvement		35.0
Pupil Accounting		573.5
Teacher in Space		118.9
Education Compact of the States		45.7
Private Business and Trade School		2.0
Evaluation-Higher Education		1.0
Teacher of the Year		57.0
Odyssey of the Mind		42.0
Computing Center	65.1	510.7
Educator Certification and Development		160.8
Professional Standards Board		176.5
Student Mentoring		500.0
Science in Motion		284.1
School Profiles		100.0
Delaware Student Testing Program		7,250.1
Student Standards & Assessment	100.0	329.5
DE Educator Recruitment Initiative		60.0
Contingency - Background Checks		100.0
Department of Education Library	34.0	
Trailer Rental Fund	27.5	
DOE Publications	15.0	
Delaware Interscholastic Athletic Fund	500.0	
TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education	1,009.3	23,555.0

(-01) State Board and Secretary of Education and Department of Education	1,009.3	23,555.0
TOTAL -- Internal Program Unit	1,009.3	23,555.0

(95-00-00) DEPARTMENT OF EDUCATION

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF

		10,829.0	(95-02-00) School District Operations			
			Division I Units (7,381)			
			Formula Salaries			365,364.2
			Cafeteria Funds			6,257.9
			Other Employment Costs			148,281.9
			Division II Units (8,201)			
			All Other Costs			20,158.2
			Energy			14,068.3
			Division III			
			Equalization			64,507.5
			Other Items:			
			General Contingency			6,227.4
			Guaranteed Unit Count			1,000.0
			School Improvement Funds			1,600.0
			Other Items			511.8
			Delmar Tuition			527.7
			Charter School Tax Relief Funds			184.1
			Skills, Knowledge & Resp Pay Supplements			3,050.0
			Federal Fiscal Relief:			
			Textbooks and Technology Initiative		9,000.0	
			Full Day Kindergarten Implementation Fund		1,000.0	
			Debt Service			
			Department of Education			22.3
			School Districts			27,984.4
		10,829.0	TOTAL -- School District Operations		10,000.0	659,745.7

		10,829.0	(-01) Division Funding		618,638.0	
			(-02) Other Items		10,000.0	13,101.0
			(-03) Debt Service			28,006.7
		10,829.0	TOTAL -- Internal Program Units		10,000.0	659,745.7

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Personnel			\$ Program		\$ Line Item				
NSF	ASF	GF	ASF	GF	ASF	GF			
(95-03-00) Block Grants and Pass Through Programs									
	3.0	4.5	Education Block Grants		800.0				
			Adult Education and Work Force Training Grant			7,973.2			
			Professional Accountability and Instructional Advancement Fund			8,400.5			
			Academic Excellence Block Grant			31,369.3			
			K-12 Pass Throughs						
			Delaware Nature Society			9.6			
			Children's Beach House			70.8			
			Read Aloud			242.2			
			National Council for Community & Justice			87.3			
			Summer School - Gifted & Talented			198.8			
			Center for Economic Education			195.2			
			Educational Resources			248.3			
			DE Institute for Arts in Education			132.4			
			Advanced Studies			94.3			
			Student Organization			193.8			
			Parents as Teachers			1,212.1			
			Pregnant Students			279.8			
			Delaware Teacher Center			509.4			
			Reading Assist			252.7			
			Smithsonian Project			1,585.7			
			On-Line Periodicals			487.0			
			Jobs for DE Graduates			571.3			
			Delaware Geographic Alliance			48.5			
			Creative Mentoring			242.6			
			Delaware History Day Competition			4.8			
			Special Needs Programs						
			Early Childhood Assistance			4,456.7			
			Children with Disabilities			2,766.9			
			1.0	1.0		Unique Alternatives	890.7	11,372.0	
						Exceptional Student Unit - Vocational		469.9	
						Related Services for the Handicapped		2,443.1	
						Adolescent Day Program		36.0	
						Children Services Cost Recovery Project	785.7		
			1.0	31.7		Sterck Summer Program		40.0	
						Tech-Prep 2 + 2		454.9	
						Student Discipline Program		15,890.5	
						Extra Time for Students		10,428.0	
						Limited English Proficient		1,000.0	
						Prison Education		2,794.5	
						Innovative After School Initiatives		200.0	
						Reading Resource Teachers		6,874.3	
						First State School		231.0	
						Driver Training			
						Driver's Education	61.1	1,497.8	
						TOTAL -- Block Grants and Pass Through Programs		2,537.5	115,365.2

	3.0	4.5	(-10) Education Block Grants	800.0	47,743.0
	2.0	32.7	(-15) K-12 Pass Throughs	1,676.4	6,666.6
	1.0	12.0	(-20) Special Needs Programs	61.1	59,457.8
	6.0	49.2	(-30) Driver Training		1,497.8
			TOTAL -- Internal Program Units	2,537.5	115,365.2

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1	Personnel						\$		
2	TFO	TFC	NSF	ASF	GF		TFO	ASF	GF
3									
4						<u>TOTALS</u>			
5									
6	1,591.0	228.0	1,825.8	1,474.3	11,328.6	TOTAL - DEPARTMENTS	273,228.4	448,033.9	1,489,036.5
7									
8			234.2		697.0	TOTAL - HIGHER EDUCATION			205,498.5
9									
10			70.6	8.0	11,014.9	TOTAL - PUBLIC EDUCATION		13,546.8	866,431.8
11									
12	1,591.0	228.0	2,130.6	1,482.3	23,040.5	GRAND TOTAL	273,228.4	461,580.7	2,560,966.8

GENERAL

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

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

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

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

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

Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2005, the proposed budget plan, as prepared by the Budget Director, shall be in such a format that it can readily be analyzed and comprehensive in nature.

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

(c) For Fiscal Year 2005, the payroll recovery rate for the Worker's Compensation Program shall be 1.23 percent.

(d) For Fiscal Year 2005, the payroll recovery rate for the Deferred Compensation Program shall be .13 percent. This rate shall be combined with the Fiscal Year 2005 payroll recovery rate for Worker's Compensation. An amount equal to thirteen one-hundredths (.0013) of the total payroll recovery shall be transferred from the Office of the Budget to the Office of the State Treasurer after each pay cycle is

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

(e) Section 1 of this Act provides funding for a state employee pension rate of 12.80 percent. The components of the rate are 4.91 percent for the pension liability, 6.19 percent for retiree health insurance costs, and 1.70 percent for the Post-Retirement Increase Fund.

(f) Section 1 of this Act provides funding for a judicial pension rate of 21.83 percent.

(g) Section 1 of this Act provides funding for a new State Police pension rate of 12.30 percent.

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

GF – General Fund

ASF – Appropriated Special Funds

NSF – Non-appropriated Special Funds

TFO – Trust Fund Operations

TFC – Trust Fund Capital

FTE – Full-Time Equivalent

(i) All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2004.

Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES

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

(i) The defined labor market survey for Fiscal Year 2005 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

1	Sussex County	Salisbury, Maryland	New Jersey
2	Wilmington	Chester County, Pennsylvania	North Carolina
3	Newark	Delaware County, Pennsylvania	Massachusetts
4	Dover	Salem County, New Jersey	New York
5	University of Delaware		Virginia

(ii) In the event of non-participation by one or more of the above organizations, a like government organization may be substituted in its place with the approval of the State Personnel Director, State Budget Director and the Controller General.

(iii) The findings of the survey in Section 8(a) for Fiscal Year 2005 shall be calculated in the same manner as Fiscal Year 2004, using a comparable weighting formula and other components.

Effective July 1, 2004, the following pay plans are established for state merit system employees:

Annual Salary

STATE OF DELAWARE PAY PLAN*

(Standard Work Schedule of 37.5 Hours Per Work Week)

	PAY GRADE	80% of Midpoint	100% of Midpoint	120% of Midpoint
18	1	16,074	19,362	23,234
19	2	16,574	20,717	24,860
20	3	17,738	22,172	26,606
21	4	18,974	23,718	28,462
22	5	20,306	25,383	30,460
23	6	21,727	27,159	32,591
24	7	23,245	29,056	34,867
25	8	24,874	31,092	37,310
26	9	26,616	33,270	39,924
27	10	28,479	35,599	42,719
28	11	30,470	38,088	45,706
29	12	32,604	40,755	48,906
30	13	34,887	43,609	52,331
31	14	37,326	46,657	55,988
32	15	39,942	49,927	59,912
33	16	42,740	53,425	64,110
34	17	45,730	57,163	68,596
35	18	48,929	61,161	73,393
36	19	52,354	65,443	78,532
37	20	56,023	70,029	84,035
38	21	59,942	74,928	89,914
39	22	64,138	80,173	96,208

1	23	68,630	85,787	102,944
2	24	73,437	91,796	110,155
3	25	78,574	98,218	117,862
4	26	84,074	105,093	126,112

5 * - Annual Salary in Whole Dollars.

6 **STATE OF DELAWARE PAY PLAN***

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

8	PAY	80% of	100% of	120% of
9	GRADE	Midpoint	Midpoint	Midpoint
10	1	16,522	20,652	24,782
11	2	17,678	22,098	26,518
12	3	18,917	23,646	28,375
13	4	20,239	25,299	30,359
14	5	21,659	27,074	32,489
15	6	23,174	28,967	34,760
16	7	24,796	30,995	37,194
17	8	26,533	33,166	39,799
18	9	28,390	35,487	42,584
19	10	30,377	37,971	45,565
20	11	32,501	40,626	48,751
21	12	34,778	43,472	52,166
22	13	37,212	46,515	55,818
23	14	39,818	49,773	59,728
24	15	42,605	53,256	63,907
25	16	45,589	56,986	68,383
26	17	48,778	60,973	73,168
27	18	52,191	65,239	78,287
28	19	55,846	69,808	83,770
29	20	59,758	74,697	89,636
30	21	63,941	79,926	95,911
31	22	68,418	85,522	102,626
32	23	73,203	91,504	109,805
33	24	78,330	97,912	117,494
34	25	83,812	104,765	125,718
35	26	89,679	112,099	134,519

36 * - Annual Salary in Whole Dollars.

37 (iv) Merit Rule 4.13.3 notwithstanding, the standard work week for employees in the following
38 classification series and designated positions assigned to the Department of Transportation's
39 Transportation Management Center as approved by the Personnel Director, Budget Director
40 and Controller General shall be 40 hours:

41	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
42	Department of Health & Social Services	Drug Control and Enforcement Agents

1		Chief Drug Control and Enforcement
2		Drug Control Administrator
3	Department of Correction	Food Service Quality Control Administrator
4		Community Work Program Coordinator
5		Director of Probation and Parole
6		Pre-Trial Presentence Manager
7		Probation and Parole Officer
8		Probation and Parole Regional Manager
9		Probation and Parole Supervisor
10		Probation and Parole Operations Manager
11		Support Services Manager–DCC
12		Special Services Manager
13		Trainer/Educator I, II, III
14		Correctional Treatment Administrator-DCC
15		Correctional Treatment Administrator - SCI
16		Correctional Officer
17		Correctional Security Superintendent
18		Warden and Deputy Warden
19	Department of Agriculture	Meat Inspectors/Supervisor
20		Meat and Poultry Inspector Officer
21		Food Products Inspection Administrator
22	Fire Prevention Commission	Training Administrator I
23	Department of Safety and Homeland Security	Telecommunications Specialist Series (ERC)
24		Telecommunications Central Control Specialist
25		Series
26	Department of Transportation	Toll Collectors
27		Toll Collection Supervisor
28		Transportation Management Center

Toll Corporals

Toll Sergeants

- (v) During the fiscal year ending June 30, 2005, 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) SELECTIVE MARKET VARIATIONS.

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

- (1) The appointing authority shall identify job classes or job families to be considered for selective market variations according to turnover rates, recruitment problems, vacancy rates, feasibility for the work to be performed on a contractual basis and other criteria established by the State Personnel Director.
- (2) Upon receipt of the identified classes, the State Personnel Director shall survey the appropriate labor market to determine the State's position in this labor market.
- (3) The Budget Director, the State Personnel Director and the Controller General shall review the information provided in Sections 8(b)(1) and (2) and shall recommend approval or disapproval for the classes for selective market compensation variations.
- (4) Any such selective market variations which the State Personnel Director, the Budget Director and the Controller General have determined to be warranted and have been approved by the Joint Finance Committee, shall be designated to become effective July 1, 2004, provided that such variations have been processed as part of the regular budgetary process and the funds for such changes shall be appropriated.
- (5) The State Personnel Director shall establish criteria with the State Budget Director and the Controller General to allow for selective market to be effective January 1, 2005. An

1 appointing authority may apply for selective market variation for job classes or job
2 families that are experiencing severe recruitment and retention issues for January 1, 2005.
3 Funds must be available within the agency budget to fund the selective market variation
4 until such time as the General Assembly appropriates such funds.

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

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

15 (i) The salary of employees in positions added to the selective market variation program
16 on or after July 1, 2004, whose salary in effect as of June 30, 2004, is below the
17 adjusted minimum salary for the assigned job classification shall be increased to the
18 adjusted minimum salary or an advanced starting salary recommended by the State
19 Personnel Director and the salary of employees whose current salary falls within the
20 adjusted salary range shall not be increased.

21 (ii) The salary of employees in positions added to the selective market variation program
22 before June 30, 2004, whose salary in effect as of June 30, 2003, is below the
23 adjusted minimum salary for the assigned job classification shall be increased to the
24 adjusted minimum salary or an advanced starting salary recommended by the State
25 Personnel Director and the salary of employees whose current salary falls within the
26 adjusted salary range shall not be increased.

27 (8) All classes assigned to selective market variation who have not met the criteria to qualify
28 for an adjustment for two consecutive years, shall have their midpoints reduced by seven

1 percent effective July 1, 2004. All classes whose selective market midpoint is not seven
2 percent higher than the midpoint of the regular merit State of Delaware payscale once the
3 general increase has been applied shall move back on to the State of Delaware Pay Plan.
4 The process by which job classes are removed from selective market variation to the
5 regular merit State of Delaware Pay Plan will not result in a reduction in salary for
6 current incumbents who will move from selective market variation to the regular merit
7 State of Delaware Pay Plan.

8 (9) Effective July 1, 2004, the shift differential rates paid to registered nurses in accordance
9 with the provisions of Merit Rule 4.15 shall be the same amount in effect as of June 30,
10 2000.

11 **(c) SALARY INCREASES FOR FISCAL YEAR 2005.**

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

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

17 (i) Effective July 1, 2004, the salary of each employee shall be increased by 2 percent and
18 \$500.00.

19 (ii) The salary of employees whose salary in effect as of June 30, 2004 is at or above the
20 maximum of the assigned paygrade of the plan in effect on July 1, 2004, shall be
21 increased to the maximum of the paygrade.

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

25 (2) (i) The provisions of Subsection (c) of this Section shall not apply to the employees of the
26 General Assembly – House or the General Assembly – Senate. Salaries for those
27 employees will be established by the Speaker of the House of Representatives and the
28 President Pro-tempore of the Senate, respectively

1 (ii) The provisions of Subsection (c) of this Section shall not apply to the Governor, members
2 of the General Assembly, Deputy Attorneys General covered by the attorney pay plan,
3 Associate Public Defenders covered by the attorney pay plan, DNREC employees
4 covered by the competency based pay plan, Uniformed State Police, all full-time and
5 regular part-time non-merit Telecommunications Specialists, Senior Telecommunications
6 Central Control Specialists, Senior Telecommunications Central Control Specialists and
7 Telecommunications Central Control Shift Supervisors employed in the Communications
8 Section of the Division of State Police in the Department of Safety and Homeland
9 Security, employees of the Department of Technology and Information, employees of the
10 University of Delaware, Delaware State University and members and employees of the
11 Delaware National Guard, excluding the Adjutant General. Funds have been
12 appropriated in Section 1 of this Act for Delaware State University and for the University
13 of Delaware to provide for an increase in salaries paid from General Funds.

14 (iii) Any Merit System employee who is denied the general salary increase referred to in
15 Section 8(c)(1)(i)(ii), due to an unsatisfactory performance rating in accordance with
16 Merit Rule 13.3, shall become eligible for the salary increase upon meeting job
17 requirements as defined by their supervisor, but the salary increase will not be
18 retroactive.

19 (iv) Notwithstanding Chapters 4.0 and 5.0 of the Merit rules, any Merit System employee
20 who is covered by the Competency Based Pay Plan provided to the Controller General's
21 Office on June 8, 1998, shall receive a 2 percent salary increase effective July 1, 2004.
22 This plan shall continue in Fiscal Year 2005 as it was established in 71 Del. Laws, c. 354
23 § 247. In addition, the salary levels established in the Competency Based Pay Plan shall
24 be increased by 2 percent effective July 1, 2004.

25 (v) Notwithstanding Chapters 4.0 and 5.0 of the Merit rules, any attorney covered under the
26 salary matrices approved for the Office of the Attorney General and the Public Defender
27 shall receive a 2 percent salary increase, effective July 1, 2004. In Fiscal Year 2005, the

1 salary plans approved for the Office of the Attorney General and Public Defender shall
2 continue as established.

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

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

6 (b) Negotiated, collective bargaining increases for Uniformed members of the Delaware
7 State Police and full-time and regular part-time non-merit Telecommunications
8 Specialists, Senior Telecommunications Specialist, Telecommunication Shift
9 Supervisors, Telecommunication Central Control Specialists, Senior Telecommunications
10 Central Control Specialists and Telecommunications Central Control Shift Supervisors
11 employed in the Communications Section of the Division of State Police in the
12 Department of Safety and Homeland Security, and

13 (c) Federal salary plan increases for Delaware National Guard employees.

14 (4) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the Attorney
15 General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for salary
16 matrices as approved by the Joint Finance Committee, notwithstanding Chapters 4.000 and
17 5.000 of the Merit Rules. These salary matrices are intended to maintain the salaries of these
18 attorneys at competitive rates. A committee consisting of the Attorney General, the State
19 Personnel Director, the Budget Director and the Controller General will biannually review the
20 Department of Justice Salary Plan. A committee consisting of the Public Defender, the State
21 Personnel Director, the Budget Director and the Controller General will biannually review the
22 Public Defender Salary Plan.

23 **(d) MAINTENANCE REVIEWS.**

24 (1) Any such reclassifications/regrades which the State Personnel Director determines to be
25 warranted as a result of the classification maintenance reviews regularly scheduled by the
26 State Personnel Office shall be designated to become effective July 1, 2004, provided that
27 such reclassifications/regrades have been processed as part of the regular budgetary process
28 and the funds for such reclassifications/regrades have been appropriated. Maintenance

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

3 (2) Any such title changes which the State Personnel Director determines to be warranted as a
4 result of a consolidation review shall be implemented as they are completed and approved by
5 the Budget Director and the Controller General. A consolidation review is for the specific
6 purpose of combining current class titles and class specifications that are in the same
7 occupational area and require sufficiently similar knowledge, skills, abilities and minimum
8 qualifications. A consolidation review will not impact the current levels of work and
9 corresponding pay grades in a class series. It will only effect the current title assigned to
10 positions, the corresponding class specification, levels of work and minimum qualifications
11 will be written general in nature rather than agency or program specific.

12 **(e) CRITICAL RECLASSIFICATIONS.**

13 The classification of any position whose salary is covered by the appropriations in Section 1 of
14 this Act, may be changed to be effective January 1, 2005, or July 1, 2005, if the requested change is
15 certified critical by the appointing authority; and approved by the State Personnel Director, Budget
16 Director and Controller General prior to the effective date. Critical reclassification requests and paygrade
17 determinations shall not be appealed to the Merit Employee Relations Board.

18 **(f) OTHER RECLASSIFICATIONS.**

19 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no
20 position shall be reclassified or regraded during the fiscal year ending June 30, 2005.

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

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

1 **(h) ADMINISTRATIVE REGULATIONS.**

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

4 (2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the
5 performance review prescribed by Office of State Personnel after applicable training by
6 the Office of State Personnel. A performance review shall be completed for employees
7 between January 1 and December 31, 2005.

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

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

14 Merit Rule 4.14 notwithstanding, all Department of Transportation employees directly engaged in
15 toll collection operations, or directly engaged in the Transportation Management Center's 24-hour
16 operation, shall be entitled to receive compensation at their normal rate of pay for holidays in lieu of
17 compensatory time, and they shall also be entitled to receive compensation in accordance with the Fair
18 Labor Standards Act.

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

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

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

The Merit Rule 4.16 notwithstanding, employees designated as Highway Emergency Response Team members shall be eligible for call back pay regardless of their classification.

(l) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.

The Merit Rule 4.17 notwithstanding, employees designated as Highway Emergency Response Team members shall be eligible for standby pay regardless of their classification.

(m) SALARY PLAN - PUBLIC EDUCATION.

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

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

“The base salary amount for this section, for the fiscal year ending June 30, 2005, shall be \$24,069.”

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

"Years of Experience	Clerk	Secretary	Senior Secretary	Financial Secretary	Administrative Secretary
0	12,404	13,883	14,740	15,241	16,072
1	12,945	14,442	15,303	15,807	16,645
2	13,483	15,003	15,868	16,375	17,221
3	14,025	15,566	16,431	16,940	17,794
4	14,564	16,127	16,994	17,507	18,369
5	15,104	16,689	17,559	18,073	18,942
6	15,643	17,250	18,122	18,641	19,518
7	16,182	17,809	18,686	19,207	20,091
8	16,722	18,372	19,250	19,773	20,666
9	17,261	18,933	19,814	20,340	21,239
10	17,801	19,494	20,377	20,908	21,814
11	18,342	20,055	20,940	21,474	22,388
12	18,880	20,615	21,505	22,040	22,963
13	19,420	21,177	22,069	22,607	23,537
14	19,960	21,739	22,631	23,175	24,110
15	20,500	22,300	23,195	23,739	24,687
16	21,039	22,860	23,759	24,306	25,260
17	21,580	23,422	24,324	24,873	25,834
18	22,118	23,983	24,887	25,439	26,408

1	19	22,658	24,545	25,450	26,008	26,983
2	20	23,196	25,106	26,013	26,574	27,556
3	21	23,749	25,680	26,589	27,152	28,143
4	22	24,315	26,266	27,179	27,744	28,744”
5						

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

	“Years of Exp.	Custodian Fireman	Chief Custodian Supervising 5 or Fewer Custodians	Chief Custodian Supervising 6 or More Custodians	Maintenance Mechanic	Skilled Craftsman	
14	0	15,419	15,984	16,271	17,405	17,932	18,395
15	1	15,845	16,411	16,697	17,833	18,424	18,966
16	2	16,271	16,836	17,124	18,256	18,921	19,532
17	3	16,696	17,262	17,548	18,680	19,414	20,099
18	4	17,124	17,687	17,976	19,109	19,844	20,667
19	5	17,548	18,110	18,397	19,535	20,402	21,234
20	6	17,976	18,541	18,824	19,958	20,897	21,801
21	7	18,397	18,968	19,248	20,383	21,391	22,370
22	8	18,824	19,391	19,675	20,809	21,886	22,937
23	9	19,248	19,817	20,099	21,234	22,378	23,507
24	10	19,675	20,243	20,525	21,661	22,875	24,072
25	11	20,099	20,670	20,953	22,084	23,368	24,641
26	12	20,534	21,109	21,390	22,515	23,873	25,224
27	13	20,977	21,557	21,839	22,956	24,389	25,820"
28							

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

“SCHOOL FOOD SERVICE MANAGERS

Number of Pupils in School Served by Cafeteria

	Yrs of Exp.	Below 351	351-500	501-800	801-1200	1201-1600	1601-2000	2000+
35	0	14,059	14,979	15,897	16,814	17,736	18,964	19,573
36	1	14,518	15,435	16,357	17,275	18,193	19,113	20,033
37	2	14,979	15,897	16,814	17,736	18,652	19,573	20,492
38	3	15,435	16,357	17,275	18,193	19,113	20,033	20,952
39	4	15,897	16,814	17,736	18,652	19,573	20,492	21,412
40	5	16,357	17,275	18,193	19,113	20,033	20,952	21,872
41	6	16,814	17,736	18,652	19,573	20,492	21,412	22,330
42	7	17,275	18,193	19,113	20,033	20,952	21,872	22,790
43	8	17,736	18,652	19,573	20,492	21,412	22,330	23,252

1	9	18,193	19,113	20,033	20,952	21,872	22,790	23,712
2	10	18,652	19,573	20,492	21,412	22,330	23,252	24,169
3	11	19,113	20,033	20,952	21,872	22,790	23,712	24,628
4	12	19,573	20,492	21,412	22,330	23,252	24,169	25,090
5	13	20,033	20,952	21,872	22,790	23,712	24,628	25,549
6	14	20,492	21,412	22,330	23,252	24,169	25,090	26,012
7	15	20,952	21,872	22,790	23,712	24,628	25,549	26,473
8	16	21,424	22,345	23,260	24,180	25,098	26,016	26,943
9	17	21,908	22,829	23,741	24,659	25,579	26,492	27,423"

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

“SCHOOL LUNCH COOKS AND GENERAL WORKERS

	Years of Experience	General Worker	Cook/Baker
15	0	8.44	9.24
16	1	8.57	9.35
17	2	8.72	9.48
18	3	8.80	9.58
19	4	8.93	9.72
20	5	9.09	9.88
21	6	9.23	9.99
22	7	9.32	10.07
23	8	9.39	10.16
24	9	9.50	10.28
25	10	9.61	10.42
26	11	9.79	10.55
27	12	9.91	10.69
28	13	10.04	10.80
29	14	10.16	10.90
30	15	10.28	11.06
31	16	10.43	11.21
32	17	10.57	11.30
33	18	10.72	11.39
34	19	10.86	11.50"

(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:

	“Years of Experience	Service Aides	Instructional Aides
38	0	11,631	13,864
39	1	11,964	14,272
40	2	12,297	14,680
41	3	12,635	15,090
42	4	12,968	15,497
43	5	13,301	15,908

1	6	13,634	16,316
2	7	13,969	16,725
3	8	14,302	17,131
4	9	14,638	17,540
5	10	14,972	17,947
6	11	15,303	18,358
7	12	15,640	18,765
8	13	15,972	19,174
9	14	16,305	19,580
10	15	16,640	19,992
11	16	16,975	20,399
12	17	17,308	20,808
13	18	17,642	21,215
14	19	17,978	21,624
15	20	18,310	22,033
16	21	18,652	22,449
17	22	19,000	22,874"

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

(8) Effective July 1, 2004, the State shall pay 66 percent of the annual salary rate for school lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 54.5 percent of salary rate for school lunch employees as set forth in the salary schedule 14 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for school lunch employees shall be paid from local funds. The State shall pay other employment costs for school lunch employees at the ratio of state supported salaries to total salaries, provided for by this Section, for school lunch employees.

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

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

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

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

7 The base salary for ten-month Plan A employees at Delaware Technical and Community College
8 shall be calculated by using the salary amount specified for the Bachelor's Degree, 0 years of experience
9 amount from 14 Del. C. § 1305(b), divided by 0.69 to account for 100 percent state funding.

10 Section 9. 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 Safety and Homeland Security, Delaware State Police,
17 employees of the University of Delaware, employees of Delaware State University, employees of
18 Delaware Technical and Community College who are paid on the Administrative Salary Plan or Faculty
19 Plan, Plans D and A respectively, Executive Director of the Delaware Center for Educational Technology,
20 members and employees of the Delaware National Guard and employees whose salaries are governed by
21 Section 10 of this Act, shall 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, 2004, the State Personnel Director shall
27 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each
28 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall

show the statutory citation which authorizes the establishment of the exempt position(s). The State Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and the Controller General. No exempt employee shall be hired until an approved comparability has been assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall become effective unless approved by the State Budget Director, State Personnel Director and the Controller General. In order to permit the development of the comparability list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions and position classification questionnaires describing the duties and responsibilities of each of the positions. The certification of comparability by the State Personnel Director shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class and/or paygrade in the Merit System shall be paid in accordance with Sections 8(b) and (c) of this Act and Merit System Rules 4.6 and 4.12; no other salary increases shall be given to such employees unless specifically authorized in this Act.

(b) The salary of employees whose salary in effect as of June 30, 2004, is below the minimum salary of the assigned paygrade of the pay plan shall be raised to the minimum salary.

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

Section 10. (a) For the fiscal year ending June 30, 2005, the salaries displayed below represent the salary effective on July 1, 2004.

<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(01-01-01)	Representative	36.0	
(01-02-01)	Senator	36.0	
(02-01-00)	Chief Justice - Supreme Court	156.1	
(02-01-00)	Justice - Supreme Court	150.4	
(02-02-00)	Chancellor - Court of Chancery	148.7	
(02-02-00)	Vice Chancellor - Court of Chancery	143.5	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-03-00)	President Judge - Superior Court	148.7	
4	(02-03-00)	Associate Judge - Superior Court	143.5	
5	(02-03-00)	Commissioner- Superior Court	87.9	
6	(02-03-00)	New Castle County Prothonotary	58.8	
7	(02-03-00)	Kent County Prothonotary	52.2	
8	(02-03-00)	Sussex County Prothonotary	52.2	
9	(02-06-00)	Chief Judge - Court of Common Pleas	147.2	
10	(02-06-00)	Judge - Court of Common Pleas	139.7	
11	(02-06-00)	Commissioner - Court of Common Pleas	87.9	
12	(02-08-00)	Chief Judge - Family Court	148.7	
13	(02-08-00)	Associate Judge - Family Court	143.5	
14	(02-08-00)	Commissioner - Family Court	87.9	
15	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	103.0	
16	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	59.3	
17	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	61.3	
18	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	63.2	
19	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	110.6	
20	(02-18-00)	Public Guardian	61.7	
21	(02-18-00)	Executive Director - Violent Crimes Compensation		
22		Board		50.5
23	(02-18-00)	Executive Director - Child Placement Review Board	55.8	
24	(10-01-01)	Governor	114.0	
25	(10-02-00)	Budget Director	116.2	
26	(10-02-08)	Director - SAC	81.3	
27	(10-03-01)	Director - Delaware Economic Development Office	108.6	
28	(10-04-00)	Personnel Director	108.6	
29	(10-07-01)	Executive Director - CJC	82.3	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(10-07-01)	Director – Domestic Violence Coordinating Council	60.7	
4	(10-08-01)	Director - Delaware State Housing Authority		101.5
5	(11-00-00)	Chief Information Officer	136.8	
6	(12-01-01)	Lieutenant Governor	64.2	
7	(12-02-01)	Auditor	92.2	
8	(12-03-01)	Insurance Commissioner		92.2
9	(12-05-01)	State Treasurer	96.4	
10	(15-01-01)	Attorney General	119.5	
11	(15-01-01)	Chief Deputy Attorney General	112.7	
12	(15-02-01)	Public Defender	119.5	
13	(15-02-01)	Chief Deputy Public Defender	112.7	
14	(15-03-01)	Parole Board Chairman	56.6	
15	(20-01-00)	Secretary - State	108.6	
16	(20-02-00)	Director - Human Relations	65.0	
17	(20-03-00)	Director – Division of Archives	78.4	
18	(20-05-00)	Director - Corporations		98.8
19	(20-06-00)	Director - Historical and Cultural Affairs	81.5	
20	(20-07-00)	Director - Arts	71.5	
21	(20-08-00)	State Librarian	77.2	
22	(20-15-00)	State Banking Commissioner		98.1
23	(25-01-00)	Secretary – Finance	116.2	
24	(25-05-00)	Director - Accounting	94.2	
25	(25-06-00)	Director – Revenue	109.5	
26	(25-07-00)	Director - State Lottery		92.6
27	(30-01-00)	Secretary - Administrative Services	101.3	
28	(30-01-00)	Director - Administration	80.2	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(30-01-00)	Executive Director - Public Employment Relations		
4		Board	69.7	
5	(30-03-00)	Public Advocate		74.8
6	(30-03-00)	Director - Public Service Commission		80.0
7	(30-03-00)	Director - Professional Regulation		77.6
8	(30-04-00)	Director – Support Services	26.5	51.1
9	(30-05-00)	Director - Facilities Management	85.6	
10	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	41.9	
11	(35-01-00)	Secretary - Health and Social Services	116.2	
12	(35-01-00)	Director - Management Services	90.5	10.1
13	(35-04-00)	Chief Medical Examiner	138.6	
14	(35-05-00)	Director - Public Health	144.9	
15	(35-06-00)	Director – Substance Abuse and Mental Health	124.7	
16	(35-07-00)	Director - Social Services	50.4	50.4
17	(35-08-00)	Director - Visually Impaired	71.3	
18	(35-09-00)	Director - Long-Term Care Residence Protection	81.0	
19	(35-10-00)	Director - Child Support Enforcement	26.7	54.2
20	(35-11-00)	Director – Developmental Disabilities Services	100.8	
21	(35-12-00)	Director - State Service Centers	81.0	
22	(35-12-00)	Director - Community and Volunteer Services	66.3	
23	(35-14-00)	Director - Services for Aging and Adults		
24		with Physical Disabilities	81.0	
25	(37-01-00)	Secretary - Services for Children,		
26		Youth and Their Families	108.6	
27	(37-01-00)	Director - Management Services	91.8	
28	(37-04-00)	Director - Child Mental Health Services	91.8	
29	(37-05-00)	Director - Youth Rehabilitative Services	91.8	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(37-06-00)	Director - Family Services	91.8	
4	(38-01-00)	Commissioner - Correction	116.2	
5	(38-01-00)	Bureau Chief - Management Services	83.5	
6	(38-04-00)	Bureau Chief - Prisons	100.8	
7	(38-06-00)	Bureau Chief - Community Corrections	96.0	
8	(40-01-00)	Secretary - Natural Resources and		
9		Environmental Control	108.6	
10	(40-01-00)	Deputy Secretary - Natural Resources		
11		and Environmental Control	80.5	
12	(40-05-00)	Director - Fish and Wildlife	43.2	43.2
13	(40-06-00)	Director - Parks and Recreation	87.2	
14	(40-07-00)	Director - Soil and Water Conservation	86.5	
15	(40-08-00)	Director - Water Resources	89.0	
16	(40-09-00)	Director - Air and Waste Management	89.0	
17	(40-09-00)	Director - Boiler Safety	56.1	
18	(45-01-00)	Secretary – Safety and Homeland Security	108.6	
19	(45-01-00)	Director - Del. Emergency Management Agency	35.8	35.8
20	(45-03-00)	Commissioner – Alcoholic Beverage Control	101.3	
21	(45-04-00)	Director - Alcoholic Beverage		
22		Control and Tobacco Enforcement	71.9	
23	(45-06-00)	Superintendent - State Police	129.9	
24	(45-06-00)	Assistant Superintendent - State Police	119.2	
25	(55-01-01)	Secretary - Transportation		108.6
26	(55-02-01)	Director – Technology and Support Services		102.5
27	(55-03-01)	Director - Planning		102.5
28	(55-04-01)	Director – Maintenance and Operations		102.5
29	(55-06-01)	Director - Delaware Transit Corporation		102.5

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(55-08-30)	Chief Engineer		102.5
4	(55-11-10)	Director - Motor Vehicles		102.5
5	(60-01-00)	Secretary - Labor	9.6	88.3
6	(60-06-00)	Director - Unemployment Insurance		83.9
7	(60-07-00)	Director - Industrial Affairs		83.9
8	(60-08-00)	Director - Vocational Rehabilitation		83.9
9	(60-09-00)	Director - Employment and Training	8.4	75.5
10	(65-01-00)	Secretary - Agriculture	101.3	
11	(65-01-00)	Deputy Secretary - Agriculture	75.3	
12	(70-01-01)	Commissioner - Elections	71.0	
13	(70-02-01)	Administrative Director - New Castle County Elections	67.2	
14	(70-02-01)	Deputy Administrative Director - New Castle		
15		County Elections	66.0	
16	(70-03-01)	Administrative Director - Kent County Elections	67.2	
17	(70-03-01)	Deputy Administrative Director - Kent County Elections	66.0	
18	(70-04-01)	Administrative Director - Sussex County Elections	67.2	
19	(70-04-01)	Deputy Administrative Director - Sussex County Elections	66.0	
20	(75-01-01)	State Fire Marshal	47.6	23.8
21	(75-02-01)	Director - State Fire School	71.4	
22	(76-01-01)	Adjutant General	94.1	
23	(95-01-00)	Secretary of Education	136.8	
24	(95-01-00)	Deputy Secretary of Education	112.2	
25	(95-06-00)	Executive Secretary - Advisory Council on Career		
26		and Vocational Education	88.8	
27	(95-08-01)	Executive Director - Higher Education Commission	73.8	

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

1 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing
2 authority shall submit a request with appropriate justification to the State Personnel
3 Director to establish the salary commensurate with the qualifications of the proposed
4 incumbent and within the position's evaluated pay range. In reviewing requests made
5 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the
6 request and shall solicit the advice and written consent of the Budget Director and the
7 Controller General in the event the salary is higher than the amount listed in Section
8 10(a).

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

23 If an employee is offered an appointment to a division level manager position
24 that has an equivalent value equal to or less than the pay grade assigned to the position
25 the employee is vacating, the employee may retain his/her current salary provided it does
26 not exceed the midpoint of the evaluated pay range for the division level manager
27 position. The appointing authority may request the retention of salary in excess of the
28 midpoint of the evaluated pay range for the division level manager position by submitting

1 appropriate justification to the State Personnel Director. In reviewing requests made
2 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the
3 request and shall solicit the advice and written consent of the Budget Director and the
4 Controller General.

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

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

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

19 (vii) The salary in Section 10 for the Superintendent and Assistant Superintendent of the State
20 Police has been calculated in accordance with 11 Del. C. § 8303. If the salary of the
21 highest paid Major increases during the fiscal year, the salaries of the Superintendent and
22 the Assistant Superintendent shall be increased in accordance with 11 Del. C. § 8303. If
23 the salary of the highest paid Major decreases during the fiscal year, the incumbent
24 Superintendent's and Assistant Superintendent's salaries shall not change.

25 (c) Effective May 1, 2005, the Office of State Personnel shall submit to the Joint Finance
26 Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position
27 the number of points applicable for Fiscal Year 2005 and the number of points of any recommended
28 changes for any position for Fiscal Year 2006.

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

		<u>July 1, 2004</u>	
		<u>General Funds</u>	<u>All Other Funds</u>
<u>Budget Unit</u>	<u>Line Item</u>		
(10-04-00)	Board Members - Pensions		9.6
(15-01-01)	Board Members - Consumer Protection	3.5	
(15-03-01)	Board Members - Parole	19.5	
(20-02-00)	Board Members - Human Relations	2.5	
(25-01-00)	Board Members - Revenue	33.0	
(30-01-00)	Board Members - Public Employment Relations Board	7.4	
(30-01-00)	Board Members - Merit Employee Relations Board	20.0	
(30-03-00)	Board Members - Professional Regulation		71.5
(30-03-00)	Board Members - Public Service Commission		130.0
(30-05-00)	Board Members - Architectural Accessibility Board	2.3	
(38-04-00)	Board Members - Institutional Classification	12.0	
(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
(60-07-00)	Board Members - Industrial Accident Board		153.0
(65-01-05)	Harness Racing Commission		13.6
(65-01-10)	Thoroughbred Racing Commission		13.6
(65-01-12)	Nutrient Management Commission	22.4	
(70-02-01)	Board Members - New Castle County Elections	21.5	
(70-03-01)	Board Members - Kent County Elections	13.0	
(70-04-01)	Board Members - Sussex County Elections	13.0	
(95-01-01)	Board Members - State Board of Education	16.8	
(95-08-01)	Higher Education Commissioners	2.4	

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

5 (f) Amend 29 Del. C. § 710 by deleting subsections (a) in its entirety and substituting in lieu
6 thereof the following:

7 "(a) The Lieutenant Governor shall receive an annual salary of \$64,200 for serving as
8 President of the Senate, of which \$10,904 shall be for performing other duties."

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

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

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

20 (a) Include in program budgets an amount sufficient to cover actual program audit costs incurred
21 by the Office of Auditor of Accounts. The final audit costs will be provided to the agencies and schools
22 by the Office of Auditor of Accounts by August 31 of each calendar year.

23 (b) Process audit cost payment documents (Intergovernmental Vouchers and invoices from
24 accounting firms) within 30 days of receipt of same from the Office of Auditor of Accounts.

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

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

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

7 Section 16. Chapters 4.0 and 5.0 of the Merit Rules notwithstanding, the State Personnel
8 Director, in accordance with the Budget Director and the Controller General, shall have the authority to
9 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the
10 mutual benefit of the State as an employer and its affected employees in the Department of Health and
11 Social Services, the Department of Services for Children Youth and Their Families, the Department of
12 Correction, and the Department of Transportation. These pilot projects may include employee incentives
13 which have the impact of reducing overtime usage in these departments, and which are designed to
14 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment
15 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the
16 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a
17 period of two years duration, subject to renewal on a six month basis, and shall include a written
18 assessment to the Budget Director and the Controller General of their effectiveness at the end of each
19 period.

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

25 Section 18. All agencies receiving an Energy appropriation in Section 1 of this Act must work
26 through Department of Natural Resources and Environmental Control and the Executive Department,
27 Office of the Budget to attain any contract(s) dealing with the retail wheeling of natural gas or electricity.
28 This includes agencies 01 through 95 with the exception of the University of Delaware.

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

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

12 Section 19. (a) Increased use of videophones and related technologies by agencies comprising
13 the criminal justice system is beginning to have a positive impact on the operations of these agencies.
14 One such positive impact is the reduction in the number of trips Department of Correction personnel need
15 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings
16 and other procedural matters. To help quantify these positive impacts, agencies with videophones
17 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Budget
18 Director and Controller General a report on their use of their videophone(s) by December 1 of each year.
19 This report shall be based on a period from July 1 through June 30 and shall contain information such as,
20 but not limited to, 1) the number of videophones used; 2) the types of activities for which the
21 videophone(s) is/are used; 3) the number of times the videophone(s) was/were used for each activity; 4)
22 any savings or deferred costs resulting from the use of the videophone(s); 5) any costs directly associated
23 with the use of the videophone(s); and 6) future plans for the use of the videophone(s).

24 (b) The Department of Correction shall submit a report of videophone usage to the Budget
25 Director, Controller General and members of the Joint Finance Committee by December 1 of each year.
26 This report shall be based on a period from July 1 through June 30 and shall include a detailed description
27 of the actual savings, deferred costs and previously anticipated savings and deferrals that were not
28 realized.

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

6 Section 21. Pursuant to Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a
7 starting rate higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the
8 advanced salary of newly hired employee, shall provide documentation that sufficient funds exist within
9 the agency's base budget to fund such actions. An agency that requests approval of a starting rate higher
10 than 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request
11 to level up the salary of existing employees, and shall indicate if sufficient funds exist within the agency's
12 base budget to fund such a leveling up action.

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

17 Section 23. In an effort to reduce the financial impact of worker's compensation and property
18 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to
19 implement safety and return to work policies. Any employee who has been on Worker's Compensation
20 shall be a preferential hire for any position for which the employee is qualified. In accordance with State
21 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event
22 the new salary is less than their current salary.

23 Section 24. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years
24 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be
25 made for employees paying dues to the Delaware State Education Association (DSEA). For all
26 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall
27 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This

change will facilitate the maintenance of the state payroll system as well as establish a consistent process for managing the collection of dues from members of the Delaware State Education Association.

Section 25. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by the Budget Director, Controller General and the State Personnel Director, temporary appointees may be assigned to the same position as that already assigned to a permanent employee in order to complete a special project.

Section 26. (a) For the fiscal year ending June 30, 2004, any sums in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2005. Any appropriation listed below that has a balance of zero on June 30, 2004 shall not continue.

<u>Fiscal Year</u>	<u>Account</u>	<u>Remarks</u>
<u>Appropriation</u>	<u>Codes</u>	
2003	01-01-01-01-41	Leg-Mileage
2003	01-01-01-01-50	Contractual
2003	01-01-01-01-60	Supplies
2003	01-01-01-01-70	Capital
2003	01-01-01-01-81	Committee Expenses
2003	01-02-01-01-40	Travel
2003	01-02-01-01-41	Leg-Mileage
2003	01-02-01-01-50	Contractual
2003	01-02-01-01-60	Supplies
2003	01-02-01-01-70	Capital
2003	01-02-01-01-81	Committee Expenses
2003	01-05-01-01-40	Travel
2003	01-05-01-01-50	Contractual
2003	01-05-01-01-51	State Governments
1998	01-05-01-01-85	Delegation Expenses
2003	01-05-01-01-98	One-Time
2003	01-08-01-01-40	Travel
2001	01-08-01-01-85	Tri-Cent Committee

1	2001	01-08-01-01-98	One-Time
2	2003	01-08-02-01-40	Travel
3	2003	01-08-02-01-60	Supplies
4	1997/98/99	01-08-02-01-80	Senior Center Reporting
5	2002/03	01-08-02-01-81	Contingency – Legislative
6	2003	01-08-02-01-82	Family Law Commission
7	2003	01-08-02-01-85	Formula Update
8	1998/99/2000/01/02/03	01-08-02-01-86	Juvenile Detention Oversight Committee
9	1996	01-08-02-01-87	Contingency - Legal
10	2001/02/03	01-08-02-01-90	Neighborhood Schools
11	2001/02/03	01-08-02-01-91	Clean Air
12	2001	01-08-02-01-92	Redistricting
13	2003	01-08-02-01-93	JFC/CIP Cnt
14	2003	01-08-02-01-97	Contingency - Intern
15	2002/03	01-08-02-02-00	TriCent Committee
16	2002	01-08-02-09-85	Senior Center Projects
17	2002	01-08-02-09-87	Fox Point Park
18	2003	01-08-06-01-50	Contractual
19	2003	02-13-10-01-98	Justice of the Peace Court 1 – Moving
20	2001/03/04	10-02-01-01-85	Data Development
21	2003/04	10-02-01-01-91	Budget Automation
22	1998	10-02-01-01-98	One-Time (Automated Release Date Project)
23	2000	10-02-01-01-99	Technology
24	1997	10-02-01-02-01	Infrastructure
25	2003/04	10-02-01-02-02	Evaluation Project
26	2001	10-02-01-02-04	Security
27	2004	10-02-03-01-50	Contractual
28	2004	10-02-03-01-83	Self Insurance

1	2002/03/04	10-02-04-01-85	Legal Fees
2	2003/04	10-02-04-01-89	Salary/OEC
3	2000	10-02-04-01-99	Technology Initiative
4	2004	10-02-04-02-55	Livable Delaware
5	2003/04	10-02-06-01-96	Contingency Fund
6	2001	10-03-01-01-87	Welfare Reform
7	2003	10-03-03-01-86	Trade
8	2004	10-04-02-01-81	Employee Recognition
9	2004	10-04-02-01-87	School-to-Work
10	2004	10-04-02-01-96	Data Development
11	2003/04	10-04-04-01-99	First Quality
12	1997	10-05-01-01-80	Pilot Projects
13	2003/04	10-05-01-01-81	Education
14	2003/04	10-05-01-01-82	Program Evaluation
15	2004	10-05-02-01-80	Operations
16	2004	10-05-03-01-80	Operations
17	2003	10-07-01-01-88	Grants 02
18	2000	10-07-02-01-96	Technology
19	2003	11-03-04-01-97	Disaster Recovery
20	2002	12-01-01-01-98	One-Time
21	1998	20-03-01-01-80	Historic Markers
22	2003/04	20-03-01-01-82	Historical Markers
23	1999/00/01/02/03/04	20-03-01-01-98	One-Time
24	2004	20-06-04-01-84	Operations
25	2003	20-06-04-01-85	Art Object Refurbishment
26	2003	20-06-04-01-98	One-Time
27	2004	20-07-01-01-82	Arts Grants
28	2004	20-08-01-01-80	Library Standards

1	2004	20-08-01-01-81	Delaware Electronic Library
2	2004	20-08-01-01-86	DeI NET
3	2004	20-08-01-01-88	Public Education Project
4	2001/02	30-05-10-01-98	One-Time
5	2002	35-01-20-01-97	Development
6	2004	35-05-20-01-82	Immunizations
7	2004	35-05-20-01-83	Hepatitis B
8	2004	35-07-01-01-89	Medicaid Non-State
9	2004	35-07-01-01-80	Medicaid-State
10	2000	35-07-01-01-97	Medicaid Management Information System
11	2002	35-07-01-01-97	Technology
12	2004	35-07-01-01-50	Contractual Services
13	2004	35-11-30-01-80	Community Services
14	2004	35-11-30-01-81	Purchase of Care
15	2004	35-11-30-01-82	Stockley Transition
16	2003	37-01-50-01-81	MIS Development
17	1995	37-05-50-01-98	One-Time, Ferris Retraining
18	2004	38-01-10-01-99	MIS
19	2003	38-01-30-01-80	Medical
20	2004	38-01-31-01-80	Drug Treatment
21	2003/04	38-01-40-01-99	Maintenance and Restoration
22	2004	38-04-01-01-85	Distance Learning
23	2001	40-01-01-01-88	CZM Administration
24	2003	40-01-01-01-97	MCI/Equipment
25	2002/03	40-08-01-01-80	Delaware Estuary
26	2001	40-08-02-01-97	First Quality
27	1998	40-08-05-01-97	Permitting Project
28	2002	40-08-07-01-81	Whole Basin TMDL

1	2003	40-08-07-01-82	TMDL
2	2002/04	45-01-01-01-86	Real Time Crime Report
3	1986	45-01-01-03-81	Hazardous Waste Revolving Fund
4	2002/03	45-01-30-01-98	One-Time
5	2003	60-09-20-01-82	Summer Youth Program
6	2003	60-09-20-01-88	Skill Grant
7	2002/03/04	70-01-01-01-81	School Elections
8	2003/04	70-01-01-01-83	Voter Purge
9	2003/04	70-01-01-01-98	One-Time
10	2001	70-01-01-02-00	Reapportionment
11	2003	70-01-01-02-01	Technology Development
12	2004	70-02-01-01-81	School Elections
13	2003/04	70-02-01-01-98	One-Time
14	2001	70-02-01-02-00	Reapportionment/Address Verification
15	2003/04	70-03-01-01-81	School Elections
16	2003/04	70-03-01-01-98	One-Time
17	2003/04	70-04-01-01-81	School Elections
18	1997/2004	70-04-01-01-98	One-Time
19	2002	75-01-01-01-97	Data Development
20	2001	75-02-01-01-96	EMT Training
21	2004	95-01-01-01-89	State Board of Education
22	2003	95-01-01-01-93	Building Improvement
23	2004	95-01-01-01-94	Educator Certification and Development
24	2001/02	95-01-01-01-98	One-Time
25	2002/03/04	95-01-01-02-00	Standards and Assessment
26	2004	95-01-01-02-02	DSTP – On Grade Assessment
27	2003	95-01-01-02-03	Pupil Accounting
28	2004	95-01-01-02-12	Professional Standards Board

1	2004	95-01-01-02-27	DSTP – Off Grade Assessment
2	2004	95-01-01-02-28	DSTP – Retest/EOS/AI
3	2003/04	95-01-01-02-30	Educator Accountability
4	2001	95-02-02-02-02	Educator Accountability
5	2003	95-02-02-02-04	School Building Awards
6	2004	95-02-02-02-04	School Improvement
7	2002/03/04	95-03-10-01-91	Professional Development
8	2004	95-03-15-01-27	Smithsonian Project
9	2004	95-03-15-01-31	Early Education Center
10	2003/04	95-03-20-01-27	Student Discipline Program
11	2004	95-03-20-01-53	3-5 Program
12	2004	95-03-20-01-82	Early Childhood Assistance
13	2004	95-03-20-01-90	Prison Education
14	1999/2002/03	95-03-20-01-98	One-Time
15	2003/04	95-04-01-01-90	Public School Transportation
16	2004	95-07-01-01-80	Operations
17	2004	95-08-01-01-83	Scholarship
18	1998	95-08-01-01-84	DHEC
19	2000/02/03/04	95-08-01-01-85	Ferguson DSTP Scholarship
20	2000/01/02/03/04	95-08-01-01-88	Physician Loan
21	2002/03/04	95-08-01-01-89	Legislative Essay
22	1997	95-08-01-09-75	GIA Section 1
23	1998	95-08-01-09-77	GIA Tuition
24	1994	95-13-00-01-48	Teacher in Space

25 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
26 not be subject to reversion until September 30, 2005: Student Mentoring (appropriation 0207), Discipline
27 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development
28 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional

Cadre (appropriation 0206). Program expenses may not be incurred subsequent to the start of the regular 2005-2006 school year.

(c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be subject to reversion until December 31, 2005.

(d) For the fiscal year ending June 30, 2004, any sums in Fiscal Year 2004 Appropriation 0213 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to reversion until June 30, 2005.

(e) For the fiscal year ending June 30, 2004, any sums for Fiscal Year 2004 Division II – All Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation 0265), Division II – Energy (Appropriation 0159), Division II – Equalization (Appropriation 0186), Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for the period of one fiscal year.

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

(g) Section 1 of this Act provides funds for Delaware State University, Operations (90-03-00) for MCI/Equipment. These funds shall not be subject to reversion until June 30, 2007.

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

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

project by project basis, during the fiscal year. Such requests shall be submitted to the Budget Director and Controller General for approval.

(ii) For fiscal year ending June 30, 2004, any authorizations in the following accounts shall remain as continuing appropriations and shall not be subject to deauthorization until June 30, 2005:

<u>Fiscal Year</u>	<u>Account</u>	<u>Remarks</u>
<u>Appropriation</u>	<u>Code</u>	
2003/04	55-01-01-68-00	Operations/Capital
2004	55-01-01-68-05	Salary Contingency
1999/2003	55-01-01-68-06	Environmental Contingency
2003/04	55-01-01-68-15	Personnel Costs
2000/02/03/04	55-01-02-68-00	Operations/Capital
2003	55-01-02-68-05	E-ZPass Contingency
2003	55-01-02-68-09	PY Operations
2003/04	55-01-02-68-15	Personnel Costs
2003/04	55-01-03-68-00	Operations/Capital
2003/04	55-01-03-68-15	Personnel Costs
2004	55-01-04-68-01	Travel
2004	55-01-04-68-02	Contractual/Supplies
2004	55-01-04-68-04	Capital Outlay
2004	55-01-04-68-15	Personnel Costs
2003/04	55-02-01-68-01	Travel
2002/03/04	55-02-01-68-02	Contractual/Supplies
2003/04	55-02-01-68-03	Energy
2003/04	55-02-01-68-04	Capital Outlay
2003/04	55-02-01-68-15	Personnel Costs
2004	55-02-03-68-01	Travel
2004	55-02-03-68-02	Contractual/Supplies
2004	55-02-03-68-04	Capital Outlay

1	2004	55-02-03-68-15	Personnel Costs
2	2001/02/03/04	55-03-01-68-00	Contractual/Supplies
3	2003/04	55-03-01-68-15	Personnel Costs
4	2003/04	55-04-01-68-00	Operations/Capital
5	2003/04	55-04-01-68-15	Personnel Costs
6	2004	55-04-70-68-00	PY Carryover
7	2001/02/03/04	55-04-70-68-02	Contractual/Supplies
8	2003/04	55-04-70-68-03	Energy
9	2003/04	55-04-70-68-04	Capital Outlay
10	2003/04	55-04-70-68-05	Storm Contingency
11	2003/04	55-04-70-68-15	Personnel Costs
12	2003/04	55-04-90-68-01	Travel
13	2002/03/04	55-04-90-68-02	Contractual/Supplies
14	2003/04	55-04-90-68-03	Energy
15	2003/04	55-04-90-68-04	Capital Outlay
16	2004	55-04-90-68-05	E-ZPass Operations
17	2004	55-04-90-68-06	E-ZPass Transponders
18	2003/04	55-04-90-68-15	Personnel Costs
19	2003/04	55-06-01-85-70	Transit Administration
20	2004	55-06-01-85-71	Transit Ops Plng/Cust Serv
21	2003/04	55-06-01-85-72	Transit Operations
22	1987	55-06-01-85-80	DTA Operations
23	2004	55-06-01-85-81	Newark Transportation
24	2004	55-06-01-85-83	Kent & Sussex
25	2004	55-06-01-85-89	Taxi Service
26	2004	55-08-10-68-00	PY Carryovers
27	2004	55-08-10-68-15	Personnel Costs
28	2004	55-08-20-68-15	Personnel Costs

1	2004	55-08-30-68-01	Travel
2	2004	55-08-30-68-02	Contractual/Supplies
3	2004	55-08-30-68-04	Capital Outlay
4	2004	55-08-30-68-15	Personnel Costs
5	2004	55-08-40-68-02	Contractual/Supplies
6	2004	55-08-40-68-03	Energy
7	2004	55-08-40-68-04	Capital Outlay
8	2004	55-08-40-68-15	Personnel Costs
9	2004	55-11-10-68-00	PY Carryovers
10	2004	55-11-10-68-01	Travel
11	2004	55-11-10-68-04	Capital Outlay
12	2004	55-11-10-68-07	Contractual Services
13	2004	55-11-10-68-08	Supplies and Materials
14	2004	55-11-10-68-15	Personnel Costs
15	2004	55-11-10-68-20	Motorcycle Safety
16	2004	55-11-10-68-21	Off Highway Vehicles
17	2004	55-11-20-68-07	Contractual Services
18	2004	55-11-20-68-08	Supplies and Materials
19	2004	55-11-20-68-15	Personnel Costs
20	2004	55-11-20-68-22	CDL Fees
21	2004	55-11-30-68-01	Travel
22	2004	55-11-30-68-04	Capital Outlay
23	2004	55-11-30-68-07	Contractual Services
24	2004	55-11-30-68-08	Supplies and Materials
25	2004	55-11-30-68-15	Personnel Costs
26	2004	55-11-30-68-23	Odometer Forms
27	2004	55-11-30-68-24	Special License Plates
28	2004	55-11-30-68-25	DMVT

1	2004	55-11-50-68-01	Travel
2	2004	55-11-50-68-07	Contractual Services
3	2004	55-11-50-68-08	Supplies and Materials
4	2004	55-11-50-68-15	Personnel Costs

TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 27. (a) Section 1 of this Act includes Appropriated Special Funds of \$25,749.7 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

\$149.0	2.0 ASF FTEs - legal matters relating to tobacco laws and regulations
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(35-05-20) Health and Social Services – Community Health

\$9,365.5	Tobacco prevention through Community Based organizations including \$110.0 for Department of Services for Children, Youth, and Their Families
169.0	Personnel Costs
150.0	Research and testing regimens of detecting lesser known illnesses
500.0	Disease Cost Containment
1,655.2	New Nurse Development
65.0	Kent County Consumer Health Services

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

\$133.5	Public Access Defibrillation initiative
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(35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health

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

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

2 \$6,900.0 Prescription Drug Program

3 1,171.2 SSI coverage for persons who lose benefits due to unearned income; Health care
4 coverage and supplemental payments necessary to insure federal Medicaid
5 matching funds for former SSI persons who lose benefits due to unearned income

6 838.7 Increase Medicaid eligibility for pregnant women/infants to 200 percent of
7 poverty, and attendant care.

8 1,277.6 SSI Supplement

9 (35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities

10 \$351.2 Assisted Living

11 (45-04-10) Safety & Homeland Security – Alcoholic Beverage Control and Tobacco Enforcement

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

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

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

15 120.0 Professional development of public school staff, promotion of prevention
16 activities in private schools, and prevention and health promotion supplies in
17 public schools

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

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

25 (b) Effective June 15, 2004, all remaining unallocated funds shall be invested by the Cash
26 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the
27 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered
28 shall be transferred back to the Cash Management Policy Board and reinvested.

1 Section 28. Section 1 of this Act provides a tobacco fund appropriation to the Department of
2 Health and Social Services, Public Health, Community Health (35-05-20). Of that appropriation, \$200.0
3 shall be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program,
4 \$129.9 shall be used to contract with the Delaware Ecumenical Council and \$47.6 shall be used for a
5 Delaware School Survey contract with the University of Delaware. In addition, \$5,000.0 shall be used for
6 the implementation of the Cancer Council recommendations, including \$150.0 to contract with Cancer
7 Care Connection, \$200.0 to contract with the Wellness Community, \$40.0 to contract with the Delaware
8 Breast Cancer Coalition to provide support services for people with cancer and \$150.0 to the Division of
9 Social Services (35-07-01) for the treatment of breast and cervical cancer. These funds shall be available
10 for Fiscal Year 2005 only.

11 Section 29. Section 1 of this Act makes ASF appropriations to the Department of Health and
12 Social Services, Social Services (35-07-00) for the Prescription Assistance Program and other programs
13 funded with Tobacco Settlement funds. These funds may be used for both the client services and
14 administrative costs of the programs.

15 Section 30. The Delaware Health Fund Advisory Council is directed to submit their proposed
16 recommendations each fiscal year to the Office of the Budget no later than November 15th per Senate Bill
17 8 as amended of the 140th General Assembly. It is the intent of the General Assembly that the Delaware
18 Health Fund Advisory Council will present their proposed recommendations before the Joint Finance
19 Committee in a public budget hearing.

FEDERAL FISCAL RELIEF

Section 31. (a) Section 1 of this Act includes Appropriated Special Funds of \$50,000.0 from funds received from the Federal Fiscal Relief Fund established in 74 Del. Laws, c. 49. These funds are intended to be one-time appropriations and not built into the base budget of the State. These funds shall be allocated as follows:

(10-02-04) Office of the Budget, Contingencies and One Time Items

\$19,000.0	Innovative Technology Fund
\$1,000.0	Advanced Planning and Acquisition Fund
\$1,000.0	Federally Qualified Health Centers

(10-08-01) Delaware State Housing Authority

\$6,000.0	Housing Development Fund
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(35-05-20) Health and Social Services – Community Health

\$10,000.0	Cancer Council Recommendations – Year 2
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(40-06-02) Natural Resources and Environmental Control – Parks and Recreation

\$3,000.0	State Park Water Quality Initiative
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(95-02-02) Public Education, School District Operations

\$9,000.0	Textbooks and Technology Initiative
\$1,000.0	Full Day Kindergarten Implementation Fund

(b) Subsection (a) of this section appropriates \$19,000.0 ASF for an Innovative Technology Fund. This fund shall be used for the development costs of the enhanced 800 MHz system and the ERP – Financials Project. The expenditure of these funds shall be in conformance with the provisions of Section 45 of this Act.

(c) Subsection (a) of this section appropriates \$1,000.0 ASF for Federally Qualified Health Centers (FQHC). These funds are appropriated in support of the role of the FQHC's in the Delaware Health Care Access Program (CHAP). The objective of the CHAP is to find low-cost health care services for uninsured people with incomes 100 percent to 200 percent of the federal poverty level. The Delaware Health Care Commission shall develop criteria for the awarding of these funds placing priority on addressing existing gaps in service across Delaware. Upon completion of the award criteria, said funds

1 shall be transferred to the Delaware Health Care Commission to be used as one-time grant awards to fund
2 facility expansion costs within the CHAP system. The maximum state grant for an expansion project will
3 be \$500,000.

4 (d) Subsection (a) of this section appropriates \$1,000.0 ASF for the Advanced Planning and
5 Acquisition Fund. Should legislation redefining this fund in support of the goals of Livable Delaware not
6 be enacted, this authorization shall be deleted and the funds retained in the Federal Fiscal Relief fund.

7 (e) Subsection (a) of this section appropriates \$6,000.0 ASF to the Housing Development Fund.
8 These funds shall be used in support of the Council on Housing Affordable Housing recommendations to
9 include:

10 (i) \$4,000.0 ASF for the preservation of affordable housing by financing the
11 rehabilitation of existing, subsidized housing in exchange for significantly
12 extending the obligations of private owners to participate in federally sponsored
13 subsidized housing programs. Of the that appropriation, \$1,000.0 ASF shall be
14 used in support of the Wilmington Housing Partnership (WHP) Residential
15 Improvement and Stabilization Effort (RISE) program. The RISE program is
16 targeted toward three areas in Wilmington: Boulevard/North Brandywine, West
17 Center City/West Side and Browntown/Hedgeville. Prior to the disbursement of
18 these funds, the WHP must demonstrate a leveraging of other private and public
19 funds of at least \$25,000.0;

20 (ii) \$1,000.0 ASF for the revitalization of Delaware communities by financing the
21 rehabilitation of existing housing units for purchase by first-time homebuyers;

22 (iii) \$500.0 ASF to leverage additional federal subsidies for affordable rental housing
23 units for the elderly and very low income families; and

24 (iv) \$500.0 ASF to increase low-income housing initiatives.

25 (f) Subsection (a) of this section appropriates \$10,000.0 ASF for Cancer Council
26 Recommendations – Year 2. These funds shall be available for expenditure through 6/30/06. These
27 funds shall be utilized in accordance with the report and shall include, but not be limited to, the following:

28 (i) Increase screening and early detection of colorectal cancer;

- (ii) Care coordination for all cancer patients;
- (iii) Pay for cancer treatment for the uninsured; and
- (iv) Integrated prevention and awareness programs.

(g) Subsection (a) of this section appropriates \$3,000.0 ASF for State Park Water Quality Initiative. These funds are intended to enhance the water quality at the following Delaware State Parks:

Delaware Seashore State Park	\$1,000.0 ASF
Lums Pond State Park	\$1,400.0 ASF
Fort duPont State Park	\$ 100.0 ASF
Project engineering/contract administration	\$ 500.0 ASF

(h) Subsection (a) of this section appropriates \$9,000.0 ASF for the Textbooks and Technology Initiative. The allocation of funds shall be based upon the September 30, 2003 unit count, as certified by the Department of Education. The Budget Director, Controller General and Secretary of Education shall develop appropriate criteria for expenditure of funds no later than July 15, 2004. Districts and charter schools shall be required to submit a comprehensive spending plan for use of said funds no later than August 1, 2004. Upon approval of the Budget Director, Controller General and Secretary of Education, funds shall be disbursed.

(i) Subsection (a) of this section appropriates \$1,000.0 ASF for the Full Day Kindergarten Implementation Fund. Upon completion of the Full Day Kindergarten Implementation Study, as funded in Section 1 of this Act, these funds shall be used to begin the implementation of the full-day kindergarten initiative in accordance with the recommendations of said study.

(j) All remaining unallocated funds, as well as funds from the above allocations left unexpended or unencumbered, unless continued into the next fiscal year, shall revert to the Federal Fiscal Relief fund. For Fiscal Year 2005, this subsection shall not apply to funds appropriated for Cancer Council Recommendations – Year 2.

LEGISLATIVE

Section 32. Of the total positions authorized in Section 1 of this Act for the Division of Research (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall be an exempt position and shall report to the Director.

Section 33. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative Committees for professional staff assistance shall be submitted to the Legislative Council for approval or disapproval. Approvals for professional staff assistance shall be allowed within the limits of the appropriation and as provided by guidelines established by the Legislative Council.

Section 34. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and committees of either the House of Representatives or the Senate for travel expenses, meeting expenses, contractual services and any other expenses shall be submitted to the Legislative Council for consideration.

Section 35. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet position as determined by the Compensation Commission. Such compensation may be adjusted by the Legislative Council as defined in 29 Del. C. §1110(e).

Section 36. Section 26 of this Act provides continuing appropriations to the Office of the Controller General (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising from planning for and implementation of neighborhood schools.

JUDICIAL

Section 37. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in the following courts as required by caseload and permitted by staffing:

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

Section 38. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office. Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a portion of the fines and fees collected from receivables inherited from the former City of Wilmington Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court Clerks, one Judicial Case Processor and one Fiscal Administrative Officer assigned to collect these receivables. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Budget Director and the Controller General.

Section 39. (a) Notwithstanding any other provisions of the Delaware Code to the contrary, any unencumbered Victim Compensation Fund balance in excess of \$5,000,000 as of June 30 shall be deposited into the Crime Rehabilitation Fund. From the Crime Rehabilitation Fund, \$429.3 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund family violence services in New Castle County and \$230.2 ASF shall be transferred to said appropriation to fund family violence services in Kent and Sussex counties; \$273.8 ASF shall be transferred to Victims Rights in the Office of the Attorney General; and \$94.0 ASF shall be transferred to Contractual Services in the Department of Correction, Community Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New Castle County.

1 (b) Any unencumbered Crime Rehabilitation Fund balance in excess of \$1,000,000 as of June 30
2 shall be deposited into the General Fund.

3 (c) The language contained in this section is to be considered temporary and shall be subject to
4 review by the Budget Director, the Controller General, and the co-chairs of the Joint Finance Committee
5 on an ongoing basis.

6 Section 40. Section 1 of this Act appropriates \$13.0 in Contractual Services to Justices of the
7 Peace Courts (02-13-10) to support lease obligations associated with the establishment of a new Justice of
8 the Peace Court 1 facility located in the Town of Frankford.

9 Section 41. Upon the approval of a plan submitted to the Budget Director, Controller General
10 and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer
11 positions from individual courts to the Administrative Office of the Courts for the purpose of further
12 centralizing personnel, finance, collections and filing/records management functions therein.
13 Notwithstanding any other provisions of this Act or the Delaware Code to the contrary, positions and
14 related operating funds may be transferred from Supreme Court (02-01-00), Court of Chancery (02-02-
15 00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-08-00) and
16 Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of the State
17 Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court
18 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information
19 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle
20 County may be considered for transfer under this section. In the cases where Merit System positions are
21 transferred, the incumbents shall retain their Merit System status.

22 Section 42. Judicial (02-00-00) is hereby authorized, subject to the approval of the Budget
23 Director and the Controller General, to utilize existing resources to address the residual inequity that may
24 exist between the Court Administrator of Justices of the Peace Courts (02-13-00) and the Court
25 Administrators of Superior Court (02-03-00), Court of Common Pleas (02-06-00) and Family Court (02-
26 08-00). No additional funding shall be allocated for the aforesaid purpose.

1 Section 43. Section 1 of this Act appropriates \$67.8 in Personnel Costs and 2.0 FTEs to Family
2 Court (02-08-00) for positions funded by an expiring federal grant. Upon the expiration of the grant, the
3 existing 2.0 Non-appropriated Special Fund positions will be converted to General Fund positions.

4 Section 44. Section 1 of this Act appropriates \$23.2 in Personnel Costs and 1.0 FTE to the
5 Administrative Office of the Courts, Office of the State Court Administrator (02-17-01) for a position
6 funded by an expiring federal grant. Upon the expiration of the grant, the existing 1.0 Non-appropriated
7 Special Fund position will be converted to a General Fund position.

8

EXECUTIVE

Section 45. (a) Section 1 of this Act appropriates \$1,825.0 to the Office of the Budget (10-02-01) for Development Projects. For Fiscal Year 2005, the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

<u>DEPARTMENT / AGENCY</u>	<u>SERVICE NEED</u>
Judicial	
Family Court	Phone System
Executive	
Office of the Budget	DataMIL Migration
Technology and Information	
Office of Criminal Justice Technology	System Standards
Legal	
Office of Attorney General	Information Technology Projects
Public Defender	Information Technology Projects
Health and Social Services	
Substance Abuse and Mental Health	Clinical Care Automated System
Child Support Enforcement	Technology Design
Fire Prevention Commission	
Office of the State Fire Marshal	Pen-based Technology

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

(b) In no instance shall any information technology (IT) project identified in Subsection (a) of this Section be initiated by the department/agencies during this fiscal year, until its formalized plan is

1 approved by the department/agency head, the Budget Director and state Chief Information Officer. The
2 project plan and the request for funding to be transferred shall consist of a business case for the project
3 which includes:

- 4 (i) needs analysis;
- 5 (ii) business process to be impacted/re-engineered;
- 6 (iii) risk assessment;
- 7 (iv) stakeholder impact assessment;
- 8 (v) cost-benefit analysis;
- 9 (vi) an analysis of the total cost of ownership which includes costs incurred during all phases
10 of the development and operational life cycles.

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

13 (c) No IT project receiving funds through Subsection (a) is to be undertaken which is beyond the
14 scope of work approved by the department/agency head and the Budget Director. Changes in scope or
15 cost that fundamentally alter the original intent of an approved project shall be communicated to the
16 Budget Director, Controller General and the state Chief Information Officer. Departments/agencies
17 failing to communicate this information in a timely manner may result in the project being postponed or
18 terminated. This requirement applies to all Information Technology (IT) or technology related systems
19 development performed by the Department of Technology and Information, the department/agency itself,
20 or an outside consultant or contractor. Further, this requirement applies to IT applications or systems
21 purchased or otherwise acquired and placed in use.

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

27 (e) All projects executed between the Department of Technology and Information, the Budget
28 Office, and the concerned department/agency, the Department of Technology and Information shall

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

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

Section 46. All agencies are directed to remit payment for services rendered by the Department of Technology and Information within 30 days of receipt of invoice. Services may include, but are not limited to, postal metering, distribution supplies, telecommunication and telephone services, professional services, and data processing services.

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

Section 47. The General Assembly finds that the establishment of the federal Temporary Aid to Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall be available to mitigate to the extent possible, projected deficits in TANF supported programs within Social Services, Department of Health and Social Services. The use of such funds for such purposes shall require the approval of the Budget Director and Controller General.

Section 48. The amount appropriated to the Office of the Budget, Contingency and One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of fringe benefits, and other obligations except coding errors by a school district which require adjustment of the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the

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

11 Section 49. (a) For Fiscal Year 2005, 29 Del. C. § 6529 is interpreted to include the ability to
12 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher
13 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
14 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
15 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring
16 requests shall also require the review and approval of the Controller General prior to filling.

17 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters
18 3.0 and 13.0 of the Merit Rules notwithstanding, the State Personnel Director with the approval of the
19 State Budget Director shall have the authority to extend temporary promotions based on agency need until
20 the hiring review process has ended. At the time the hiring review process has ended, those temporary
21 promotions granted during the hiring review process shall be subject to the limitations identified in the
22 Merit Rules governing the duration of temporary promotions.

23 Section 50. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies
24 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used
25 to make adjustments in the amount of state special fund appropriations in the event additional state special
26 funds are received which were not previously anticipated. Such adjustments shall be made in accordance
27 with the approval of the Budget Director and the Controller General.

Section 51. Section 1 of this Act provides an appropriation to Office of the Budget, Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time Appropriations in the amount of \$1,725.6 shall be non-recurring expenditure items. The Budget Director shall transfer the appropriations as itemized to the departments. Each receiving department shall identify the line item, object code and, for all practical purposes, complete and separate accountability for each appropriation amount transferred. No appropriation shall be transferred without the Budget Director and the Controller General approvals. Any one-time appropriation for computer hardware, software and telecommunications, which contemplates the development of computer-related systems, shall be transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01). The expenditure of computer or computer related funds shall be subject to the restrictions of the Development Fund.

Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be included, or be considered, as a part of the budget request for the Fiscal Year 2006 Appropriation Bill.

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

Account Codes	Remarks	Fiscal Year Appropriation
(12-05-01)	Governor's Task Force on Financial Independence	50.0
(45-02-10)	Body Armor	16.1
(45-06-09)	Body Armor Replacements	80.0
(45-06-09)	Shotgun Replacements	19.5
(45-06-09)	Holster Replacements	60.0
(65-01-01)	Crop Insurance	600.0
(70-01-01)	2004 General Election	184.3
(70-02-01)	New Castle County – 2004 General Election	254.5
(70-03-01)	Kent County – 2004 General Election	205.6
(70-04-01)	Sussex County – 2004 General Election	205.6
(95-01-01)	Full-Day Kindergarten Implementation Study	50.0

Section 52. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This position shall be exempt from the Merit System until such time as the current incumbent vacates the

position, at which time the position shall be classified by the Director of State Personnel in accordance with the Merit System and 29 Del. C. c. 59.

Section 53. The Statistical Analysis Center (10-02-08) shall submit an annual project schedule detailing the staff workload and time allocation by July 15. This schedule shall be reviewed by the Criminal Justice Council and approved by the Budget Director and the Controller General. No changes shall be made to the work schedule without the approval of the Budget Director.

Section 54. Notwithstanding the provisions of any other law, for the fiscal year ending June 30, 2005 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so noted:

- (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic Development Office, as determined by the Director of the Delaware Economic Development Office.
- (ii) The second \$125.0 shall be used for the general operating expenses of the economic development trade office in Taiwan.
- (iii) The third \$350.0 shall be used for the general operating expenses of the Delaware Small Business Development Center.
- (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program within the Delaware Economic Development Authority (10-03-03). It is the intent of the General Assembly that these funds shall be used together with non-state contributions to the Delaware Business Marketing Program. Non-state contributions may be made in cash, or in-kind. Non-state cash contributions shall be deposited in a special fund for business marketing and recruitment purposes only. Non-state in-kind contributions shall be valued at their fair market value and recorded in records maintained by the Delaware Economic Development Authority in connection with the Delaware Business Marketing Program. Expenditures of the program shall be divided between non-state contributions and state funds for any fiscal year's appropriations such that non-state contributions are not less than fifty percent of total expenditures. Of the fifty percent non-state contributions, up to

1 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-
2 kind contributions. These funds shall not be used for hiring full-time employees. On or
3 before April 1, 2005, the Director of the Delaware Economic Development Office shall
4 provide to the Budget Director and the Controller General a report on the Delaware
5 Business Marketing Program. The report shall include an itemized list of non-state cash
6 and in-kind contributions received, total expenditures and an assessment of the program to
7 date.

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

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

14 Section 55. The Delaware Economic Development Office, Office of the Director (10-03-01) will
15 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.
16 Funding for this grant shall be maintained at current levels.

17 Section 56. Section 1 of this Act includes a General Fund appropriation for Contractual Services
18 within the Office of the Director (10-03-01). Of these funds, \$49.5 shall be used to extend the contractual
19 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General
20 Assembly through the fiscal year ending June 30, 2005.

21 Section 57. Section 1 of this Act appropriates \$2,056.6 ASF to the Delaware Tourism Office. Of
22 this amount, \$615.4 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable
23 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September
24 30, 2004 or as otherwise approved by the Budget Director and the Controller General.

25 Section 58. 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, \$160.0 ASF shall be used to fund a
27 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.
28 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related

costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory Board, shall develop rules and regulations for the application and award of the grants and matching grants. The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by April 1, 2005, detailing the usage of the funds herein authorized. Said report shall also contain an assessment of the economic impact of the grants programs and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2005, the first \$50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to \$250.0 ASF. In this event, the Matching Grant portion of the distribution shall be \$200.0 ASF and the Grant portion shall be \$50.0 ASF.

Section 59. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as contained in Section 1 at any time during Fiscal Year 2005, the Budget Director and Controller General are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost line.

Section 60. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the Kalmar Nyckel. During the period beginning July 1, 2004, and ending on June 30, 2005, the State of Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on behalf of the State of Delaware and the Riverfront Development Corporation.

Section 61. Any other statutory provision notwithstanding, any change to the Merit Rules required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State Personnel.

Section 62. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-04-00). The State Personnel Director shall be the appointment authority for these positions, which shall

1 be Human Resource Officers who will work on personnel issues for the Department of Transportation.
2 The source of funding for these positions shall be the Department of Transportation, Human Resources
3 (55-01-04) and that agency shall reimburse the Office of State Personnel quarterly for all Personnel Costs
4 and Other Employee Costs associated with these two positions.

5 Section 63. The State Employees Pension Benefits Review Committee will continue to review
6 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the
7 benefit structure of the various state pension systems for the purpose of evaluating current pension plan
8 benefits and recommending changes.

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

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

16 Section 64. (a) 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 may transfer the excess over 20
19 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

20 (b) For Fiscal Year 2005, the projected Closed State Police Plan surplus shall be used to reduce
21 the Closed State Police pension and retiree health liability.

22 Section 65. The Board of Pension Trustees may allocate the pension/health insurance monies
23 received from the State during any month to ensure that funds are available to pay health insurance
24 premiums for retirees in each month.

25 Section 66. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of
26 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental
27 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental
28 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

Section 67. Section 1 of this Act appropriates \$2,067.5 to the Delaware Institute of Medical Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

Jefferson Medical College	\$1,000.0
Philadelphia School of Osteopathic Medicine	237.5
University of Delaware	50.0
Christiana Care Health System	200.0
Scholarships/Loans	480.0
Loan Repayment	<u>100.0</u>
	\$2,067.5

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

Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial assistance for students attending the Jefferson Medical College and \$80.0 is to be used for students attending Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for restructuring the grant/loan program in effect since 1993 into either a scholarship program or a loan program with more favorable tax consequences than the previous program. Any loan or scholarship program developed by the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be used to recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware. Recruitment tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan repayment programs will be approved by the Delaware Health Care Commission, the Budget Director and the Controller General.

Section 68. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be excluded from classified service as defined under 29 Del. C. § 5903.

1 Section 69. There is hereby established the Delaware Sentencing Research and Evaluation
2 Committee. The Committee shall be a permanent committee, and shall consist of the incumbent members
3 of the SENTAC Research Committee. The Office of the Budget and the Controller General shall be
4 notified of Committee meetings and a representative of each invited to attend and participate in all such
5 meetings. The immediate past Chair of the Sentencing Accountability Commission (SENTAC),
6 Honorable Richard S. Gebelein, will serve as Committee liaison to SENTAC, and will present all findings
7 and reports to SENTAC in a timely fashion for their review and comment.

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

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

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

23 In aid of the mission of the Committee, \$44,000 in Appropriated Special Funds previously
24 appropriated to the Criminal Justice Council are hereby directed to be paid over to the Delaware
25 Sentencing Research and Evaluation Committee.

TECHNOLOGY AND INFORMATION

Section 70. (a) Notwithstanding any other provision of this Act or the Delaware Code to the contrary, Section 1 of this Act reflects the transfer of 10.0 FTEs, \$651.2 in Personnel Costs, \$3.8 in Travel, \$337.4 in Contractual Services and \$14.9 in Supplies and Materials from the Delaware Justice Information System (10-07-02) to the Department of Technology and Information, Office of Criminal Justice Technology, Office of the Director (11-05-01) for the purposes of streamlining, maximizing and making more efficient the use of state resources to accomplish the common goal of providing superior services to state agencies and the citizens of Delaware. To this end, the Department of Technology and Information shall support and enhance the statewide criminal justice technology network.

(b) (1) The Criminal Justice Technology Board of Managers (“the Board”), formerly the DELJIS Board of Managers, shall advise the Chief Information Officer concerning

- legislation that it deems necessary for the operation and maintenance of the statewide criminal justice technology network; and
- the establishment and implementation of policy for providing management and administrative statistics and coordinating technical assistance to serve the information needs of criminal justice agencies, planners, administrators, legislators and the general public.

(2) The Board shall continue to be comprised of the following 16 members:

- One member of the Delaware State Police, to be designated by the Superintendent of the Delaware State Police;
- One member of a municipal police department, to be designated by the Chairperson of the Delaware Police Chiefs' Council;
- One member of the Department of Correction, to be designated by the Commissioner of Correction;
- One member of the Division of Youth Rehabilitative Services, to be designated by the Director of the Division of Youth Rehabilitative Services;

- Three members to be designated by the Chief Justice of the Supreme Court, one of whom shall represent Family Court and one of whom shall represent all other courts of the state;
- One member of the Department of Justice, to be designated by the Attorney General;
- One member of the Office of the Public Defender, to be designated by the Public Defender;
- One member-at-large to be designated by the Governor;
- One member of the New Castle County Police Department, to be designated by the Colonel of the New Castle County Police Department;
- Two members of the General Assembly, one senator to be designated by the President Pro Tempore of the Senate and one representative to be designated by the Speaker of the House of Representatives;
- One member of the Delaware State Bureau of Identification, to be designated by the Superintendent of the Delaware State Police;
- One member of the department (or agency) within the state with the overall responsibility for providing information resource management, to be designated by the director or chief official of that agency; and
- One member of the Delaware Criminal Justice Council, to be designated by the Chairperson of the Delaware Criminal Justice Council.

(c) The Department of Technology and Information shall be responsible for maintaining the computer hardware, software and communication network previously managed, operated and maintained by the Delaware Justice Information System. In order to ensure compliance with Federal laws governing access to National Crime Information Center (NCIC) data and information, and in order to ensure the continued right to access said data and information, the Office of Criminal Justice Technology is hereby designated as a criminal justice agency.

(d) It is the intent of this section that the creation of the aforementioned budget unit in the Department of Technology and Information not result in the termination of any employee from state government either upon taking effect or during the following transition period. Current Delaware Justice

1 Information System employees may be considered for a position in the Department of Technology and
2 Information, or may be transferred to another agency to a similar position with comparable qualifications,
3 duties and responsibilities and a similar pay range. The Office of State Personnel shall provide guidance
4 and assistance in this process according to the following provisions:

5 (1) Any employee still occupying a Merit System position in the Delaware Justice
6 Information System as of June 30, 2004 shall be afforded all rights and provisions under
7 29 Del. C. c. 59 with regard to the rules created pursuant to re-employment within the
8 state. Effective December 31, 2004, all positions formerly associated with the Delaware
9 Justice Information System shall cease to exist.

10 (2) Any Delaware Justice Information System employee who becomes an employee of
11 the Department of Technology and Information shall be covered under the Department of
12 Technology and Information compensation plan and shall be exempt from 29 Del. C. c.
13 59 pursuant to 29 Del. C. § 9007C.

14 (3) Vacant positions in the Delaware Justice Information System as of June 30, 2004
15 shall be transferred to the Department of Technology and Information upon the effective
16 date of this Act. Upon transfer, these positions shall become exempt from 29 Del. C. c.
17 59 pursuant to 29 Del. C. § 9007C(a).

18 (e) All contracts and obligations of the Delaware Justice Information System that were executed
19 prior to the effective date of this Act and in accordance with the provisions of 11 Del. C. c. 86 shall
20 remain in full force and effect and shall be performed under the guidance of the Chief Information Officer
21 of the Department of Technology and Information and the Criminal Justice Technology Board of
22 Managers.

23 (f) During the transition period, the Criminal Justice Technology Advisory Board and the Chief
24 Information Officer of the Department of Technology and Information shall analyze and make
25 recommendations to the Governor, co-chairs of the Joint Finance Committee, Budget Director and
26 Controller General regarding financial needs to continue to maintain the Delaware Justice Information
27 System.

1 Section 71. The Chief Information Officer shall not make any changes to the department's
2 compensation plan regarding any aspect of employee compensation without the approval of the State
3 Personnel Director, Budget Director and the Controller General. Further, sufficient funding within the
4 department must be available for any change to be approved.

5 Section 72. The state government of Delaware, recognizing the inherent value in implementing
6 common standards, has chosen Windows 2000 as its statewide network platform and messaging system.
7 In an effort to establish a single, common electronic messaging platform throughout the state, no state
8 agency/department shall migrate, change or switch to an alternative messaging platform without the
9 express written consent of the Chief Information Officer, the State Budget Director and the Controller
10 General. Any agency seeking exemption from this requirement must submit a request to the Chief
11 Information Officer stating clearly reasons for migrating to an alternative platform.

12 Section 73. The Department of Technology and Information (11-00-00) shall receive a lump sum
13 appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in Section
14 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of
15 this Act and Personnel Cost lines less non-salary driven OEC components. Overtime and Casual and
16 Seasonal components of the Personnel Cost lines shall not be part of the calculation. The resultant lump
17 sum amount may be distributed to employees as determined by the Chief Information Officer. However,
18 in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall
19 the aggregate amount awarded exceed the product of the calculation as described above. Further, in no
20 case shall individually awarded amounts be given retroactively.

OTHER ELECTIVE

Section 74. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

Section 75. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-match funding for federally-mandated audit services. If, during the first three months of any fiscal year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

Section 76. The positions of Director and Deputy Director of the Department of Insurance, Fraud Prevention Bureau (12-03-01) will be classified as merit positions.

Section 77. Section 1 of this Act contains ASF position authorizations and associated appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-03-02). Said authorizations and appropriations include an authorization for 1.0 Director of Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

Section 78. Section 1 of this Act provides an ASF appropriation of \$3,235.6 to the State Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27, for the purpose of providing staff support and operational expenses, including payment of fees for banking services. The \$3,235.6 in interest income on bank deposits shall be coded as special fund revenue to provide funds for operation of the Cash Management Policy Board.

Section 79. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated with and approved by the Chief Information Officer of the Department of Technology and Information and the Secretary of Finance.

Section 80. The State Treasurer's Office shall develop a rate for the purpose of recovering costs associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost recoverable activities shall include online transactions as well as traditional card transactions. The initial rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The

1 Treasurer's Office may initiate an automated revenue reduction process, equal to the approved rate, for all
2 cash receipts received by the aforementioned methods. The Treasurer's Office shall provide the agency
3 with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an
4 automated revenue reduction process the Treasurer's Office may invoice a state agency for necessary
5 reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant
6 Services fees.

7 Section 81. The State Treasurer's Office, with the assistance of the Department of Technology
8 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and
9 approve the payment component of all new web-based technology initiatives involving the electronic
10 remittance of funds to the state. Specifically, those projects promoting the use of online credit card
11 payment, online debit card payment, Automated Clearing House payments, "e-checks" and other forms of
12 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that
13 already use online credit card payment, online debit card payment, Automated Clearing House payment,
14 "e-check" or other forms of electronic funds transfer, those agencies shall be exempt from this
15 requirement unless and until such time as their current electronic payment component must undergo any
16 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility
17 of implementing the state's designated payment component. A standard evaluation form will be designed
18 by the State Treasurer's Office with the assistance of the Department of Technology and Information and
19 the Government Information Center, where appropriate, and approved by the Office of the Budget.

20 Section 82. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the
21 Department of Technology and Information, may approve pilot projects for the purpose of electronically
22 transmitting remittance advices to those employees or contractors receiving payments via direct deposit
23 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their
24 request and documentation of cost savings in accordance with the guidelines established by the Office of
25 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll
26 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time
27 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer
28 and the Budget Director.

LEGAL

Section 83. Section 1 of this Act authorizes an appropriation for Contractual Services for the Office of Attorney General (15-01-01). Of this amount, \$394.3 shall be used for the purpose of providing services covering family violence in New Castle County, and \$211.3 shall be used for the purpose of providing services covering family violence in Kent and Sussex counties.

Section 84. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and
21 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse
22 and neglect in Delaware nursing homes;

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

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

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

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

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

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

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

20 Section 85. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0
21 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)
22 to support the Child Support Enforcement function. The Child Support Enforcement function in the
23 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial
24 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social
25 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the
26 reimbursement rate for indirect costs will be 25 percent of federal dollars spent on direct salary costs.

27 Notwithstanding the provisions of 29 Del. C. § 6404(h)(1)(2)(3), the Attorney General's Office
28 shall be allowed to retain the federal reimbursement of direct costs in an Appropriated Special Funds

1 account to pay the Appropriated Special Funds share of operating expenses associated with the Child
2 Support function.

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

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

13 Section 86. Section 1 of this Act makes an appropriation to Contingency—Attorney Pay Plan in
14 the Office of the Budget, Contingencies and One-Time Items (10-02-04). This appropriation is for the
15 purpose of funding the salary matrices of the Office of the Attorney General (15-01-01) and the Office of
16 the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the Office of the Attorney
17 General, and \$65.0 is allocated for the Office of the Public Defender. Upon requesting contingency
18 funds, each agency must submit for approval by the Budget Director and Controller General a report of
19 personnel activity relating to salary plan movements with a description of the need to use said funds.
20 Total personnel expenditures by these agencies may not exceed total personnel appropriations.

21

STATE

Section 87. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

Section 88. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

Section 89. (a) Section 1 of this Act establishes a special fund appropriation entitled Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 8 Del. C. § 391(h)(1), 6 Del. C. §15-1207(b)(1), 6 Del. C. §17-1107(b)(1), 6 Del. C. §18-1105(b)(1), and 12 Del. C §3813(b)(1) will be deposited into this fund to be used for technological and infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic government information projects, and library initiatives. Quarterly reports regarding the status of this fund shall be made by the Department of State to the Budget Director and the Controller General.

(b) Of the amount appropriated in Section 1 of this Act, up to \$300.0 may be allocated for matching grants pursuant to the Delaware Public Library Technology Assistance Act (Title 29, Chapter 66B) for the purposes of implementing a 3-year replacement cycle for public access hardware and software in Delaware's public libraries. An additional \$100.0 may be provided to the Division of Libraries for other library technology initiatives.

Section 90. Section 1 of this Act contains an authorization for contractual services in the Division of Corporations (20-05-01). Of this amount, \$600.0 ASF is for credit card processing fees. Should credit card processing fees exceed this amount during the fiscal year, the Division of Corporations is authorized up to an additional \$500.0 ASF for these charges.

Section 91. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

Section 92. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage Commission (20-01-05) shall be exempt from the Merit System.

1 Section 93. The Delaware Heritage Commission shall investigate which out of print books and
2 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
3 Commission shall investigate what writings in these categories would be valuable for republication. A
4 report shall be made to the Controller General and Budget Director by December 1, 2004.

5 Section 94. Section 1 of this Act includes an appropriation to the Department of State, Division
6 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation
7 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art
8 for placement in state museums.

9 Section 95. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State
10 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits
11 and art objects in Legislative Hall.

12 Section 96. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
13 Office of the State Banking Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for
14 costs associated with the collection and administration of the Bank Franchise Tax.

15 Section 97. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of
16 \$2,869.5 for Library Standards. Of that amount, Libraries may reserve up to \$286.9 for planning and
17 evaluation grants to determine each library's attainment of state and federal library standards. The
18 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount
19 allocated to that library, one installment upon signature of the contract and the second installment in
20 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if
21 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an
22 account for the benefit of the library from which the unspent funds came. These funds may be spent in
23 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be
24 used as part of any subsequent years' formula payment.

FINANCE

Section 98. The Department of Finance, Office of the Secretary is authorized during the fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and payment of other costs incidental to the implementation and maintenance of computer systems at the Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose of maintaining Revenue's mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C. subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system maintenance with the Department of Technology and Information.

Section 99. Revenue (25-06-01) is authorized to establish and maintain a special fund with the State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons; and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes. A detailed report on all expenditures from and collections to this special fund shall be sent annually to the Budget Director and the Controller General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

Section 100. The Director of Revenue shall have the authority to accept, on whatever terms and conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of taxes by credit cards.

Section 101. 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

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

12 Section 102. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
13 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund
14 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
15 the Budget Director, provided that the total operating budget for this fiscal year shall not exceed 20
16 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

21 Section 103. There shall be established a special fund for the purpose of receiving the proceeds
22 of liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this
23 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in
24 issues of the United States Treasury or investments of comparable risk. The Secretary may at his
25 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

26 Section 104. Pursuant to 29 Del. C. §4815(b)(2), funds from the State Lottery Fund shall be
27 released to an appropriately established account within the Department of Health and Social Services,
28 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 based on the results of video lottery operations conducted during the
- 2 immediately preceding month.

ADMINISTRATIVE SERVICES

Section 105. During Fiscal Year 2005, 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 106. 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 107. During the fiscal year, the Department of Administrative Services, Facilities Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings known as the Kent County Courthouse, O'Brien Building, Family Court Building, the Sussex County Courthouse, Absolom Jones/Belvedere State Service Center and New Castle County Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

Section 108. For energy backcharge purposes, the Department of Administrative Services (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten percent of the Public Safety Building, for which energy payment is the responsibility of the host department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of the energy bills upon request for payment by the host department.

Section 109. The Secretary of the Department of Administrative Services shall work in concert with the State Court Administrator in the Administrative Office of the Courts, Office of the State Court Administrator to prioritize projects and ensure completion of necessary renovations and equipment acquisitions within the court system.

Section 110. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for employee parking in the Government Center Parking Garage as long as such payments are continuances of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the positions he or she occupied prior to May 31, 1998.

Section 111. Personnel in the Department of Administrative Services, Facilities Management who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive compensation at their straight time rate of pay for all overtime services performed beyond the normal

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

3 Section 112. (a) Notwithstanding any state law to the contrary, the Department of
4 Administrative Services may implement a pilot videoconferencing initiative including the utilization of no
5 more than six videoconferencing units. State agencies participating in the pilot program may be assessed
6 and shall pay the charge initiated in Fiscal Year 2003 for the usage of videoconferencing services and
7 equipment. Such payments are considered allowable charges to all sources of state funding; sources
8 include General Fund, Appropriated Special Funds, Non-appropriated Special Fund, Federal Funds and
9 Transportation Trust Fund.

10 (b) The charge assessed to state agencies for videoconferencing services and equipment shall be
11 determined by the Secretary of Administrative Services with the annual prior approval of the Budget
12 Director and Controller General.

13 (c) Upon approval of the Budget Director and Controller General, the videoconferencing pilot
14 program may be expanded in Fiscal Year 2005.

15 Section 113. Upon the approval of the Budget Director and the Controller General, the
16 Department of Administrative Services, Facilities Management (30-05-00) shall be authorized to transfer
17 up to \$237.4 in Contractual Services from the Administrative Office of the Courts, Office of the State
18 Court Administrator (02-17-01) to cover operating costs associated with the Kent County Courthouse.
19 The actual amount to be transferred shall be based on the date on which the transfer of ownership of the
20 Kent County Courthouse is completed and the Department of Administrative Services, Facilities
21 Management assumes administrative responsibility for the aforementioned facility.

HEALTH AND SOCIAL SERVICES

Section 114. 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, Registered Nurse, Physician, Dentist and Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 115. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Budget Director and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 116. Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Budget Director and the Controller General.

Section 117. Notwithstanding any other provisions of the Delaware Code, the merit position Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as the current incumbent vacates such position.

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

Section 118. (a) The amount appropriated by Section 1 of this Act to the Department of Health and Social Services for Title XIX Federal Programs Medicaid- Non-State shall be expended solely in accordance with the following conditions and limitations:

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

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

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

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

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

19 Section 119. Section 1 of this Act includes an appropriation to the Department of Health and
20 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.
21 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a
22 week to non-public schools in New Castle County and Kent County.

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

26 Section 120. Personnel in the Department of Health and Social Services, Division of
27 Management Services (35-01-30) who respond to weather related emergencies and are not covered under
28 FLSA, shall be entitled to receive compensation at their straight time rate of pay for all overtime services

1 performed beyond the normal work week. The method of compensation is subject to the availability of
2 funds and/or the operational needs of the Department of Health and Social Services, Division of
3 Management Services.

4 Section 121. Section 1 of this Act provides an appropriation to the Department of Health and
5 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and
6 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug
7 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office
8 of Narcotics and Dangerous Drugs.

9 Section 122. Section 1 of this Act provides an appropriation to the Department of Health and
10 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,
11 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based
12 adult health services clinic serving the Claymont area of New Castle County.

13 Section 123. Section 1 of this Act provides an appropriation to the Department of Health and
14 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,
15 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the
16 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from
17 the Preventive Health and Health Services Block Grant or other federal funds.

18 Section 124. Section 1 of this Act provides an appropriation of \$40.0 to the Department of
19 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to
20 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as
21 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or
22 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public
23 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or
24 ambulance company on a form provided by Public Health, indicating that the person for whom the
25 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company
26 in the State of Delaware. A record of the names and addresses of all persons immunized shall be
27 maintained by Public Health. To insure the success of this program, Public Health and representatives of
28 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all

1 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of
2 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the
3 needs of the volunteer community have been met, similar assistance may be offered to other fire and
4 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this
5 fund, may also be spent to provide any required post vaccination antibody testing in order to assure
6 adequate protection has been achieved.

7 Section 125. Section 1 of this Act provides an appropriation for the Department of Health and
8 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
9 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
10 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

11 Section 126. The State desires to establish a permanent funding program for rodent control
12 activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent
13 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
14 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
15 be made no later than September 1, 2005; establish program objectives and spending guidelines; require
16 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into
17 the next fiscal year.

18 Section 127. Public Health, Community Health (35-05-20) will receive a portion of the Federal
19 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The
20 division shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled
21 School Based Health Centers to support the cost of this initiative. Up to \$500.0 of the remaining revenue
22 will be deposited into an ASF account in Social Services (35-07-01) and used for expenses associated
23 with the normal operations of the Medicaid-Non-State program. This amount may be increased subject to
24 approval from the Budget Director and Controller General.

25 Section 128. Section 1 of this Act appropriates \$881.8 in Supplies and Materials to the
26 Department of Health and Social Services, Division of Public Health, Community Health (35-05-20), of
27 that appropriation \$10.0 is to be used to purchase chemical reference materials for the Office of
28 Environmental Health Evaluation.

1 Section 129. It is the intent of the General Assembly that BP #s 86608, 85559 and 86611, who
2 perform bio-terrorism related activities, and are located in Community Services (35-05-20) will be
3 transferred to the Department of Safety and Homeland Security upon approval of the Centers for Disease
4 Control. In the interim, a memorandum of understanding shall be agreed to by the two departments
5 which outlines the responsibility and accountability of the functions of the three positions.

6 Section 130. Section 1 of this Act provides an appropriation to the Department of Health and
7 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for
8 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable
9 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

14 Section 131. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to
15 receive reimbursement for providing a work study program for local nursing schools and for assigning
16 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.
17 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the
18 proceeds from the aforementioned account.

19 Section 132. Section 1 of this Act provides an appropriation to the Department of Health and
20 Social Services, Substance Abuse and Mental Health, Substance Abuse (35-06-40) in Contractual
21 Services. In addition to this General Fund appropriation, the Director of Substance Abuse and Mental
22 Health, shall ensure that the amount of \$60.0 be expended from available federal funds to contract for
23 employment, alcohol, and drug counseling and referral services for youth and adults to encourage an
24 alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be expended from
25 available federal funds to contract for employment, alcohol, and drug counseling and referral services for
26 youth and adults to encourage an alcohol and drug-free environment in the Claymont community.

27 Section 133. Section 1 of this Act makes appropriations to the Department of Health and Social
28 Services, Social Services (35-07-01), for various programs that pay for health care. In the Medicaid

1 program, federal regulations mandate that drug companies must provide rebates in order to participate in
2 the program. Social Services shall establish a drug rebate process for any prescription benefits provided
3 to clients enrolled in the non-Medicaid programs administered by the division including but not limited
4 to: the Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription
5 Assistance program and the Legal Non-Citizen Health Care program. The division shall establish a rebate
6 process that it determines is in the best interests of the citizens who are being served. The rebate amount
7 shall be calculated using the full methodology prescribed by the federal government for the Medicaid
8 program. In addition, the division is authorized to negotiate rebates with drug companies for both
9 Medicaid and other programs. Notwithstanding any provisions of the Delaware Code to the contrary, the
10 division shall deposit any drug rebate funds received as well as third party insurance collections (minus
11 retention amounts) and other collections into the appropriate Social Services program account and use
12 them to meet program costs. These provisions shall be retroactive to July 1, 2003.

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

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

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

23 Section 134. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under
24 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management
25 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and
26 shall have the authority to allocate such funds, and may advise on the use of other funds specifically
27 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and
28 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to

1 Three, selected through the early intervention process and to ensure coordination with the Program for
2 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions
3 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate
4 this program. The lead agency shall report to the Budget Director and the Controller General on additional
5 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that
6 will be deposited into the General Fund in Fiscal Year 2005.

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

15 Section 135. Section 1 of this Act provides an appropriation to the Department of Health and
16 Social Services, Social Services (35-07-01) for Renal Disease.

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

23 Social Services will provide the following support for the Chronic Renal Disease Program:

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

1 Section 136. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
2 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
3 through voluntary contributions from medical facilities and from federal matching funds. These positions
4 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these
5 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the
6 State of Delaware. Other medical facilities throughout the state may participate in this program.

7 Section 137. Section 1 of this Act provides an appropriation to the Department of Health and
8 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
9 II system maintenance. Social Services shall have the authority to contract for positions needed to
10 provide system maintenance. The division shall also have the authority, with approval from the Budget
11 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to
12 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

13 Section 138. The Department of Health and Social Services is authorized to contract with a
14 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,
15 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to
16 entering into any such contracts the department will obtain the approval of the Secretary of the
17 Department of Administrative Services.

18 Section 139. Section 1 of this Act appropriates \$2,122.0 in Personnel Costs and 40.4 FTEs to
19 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
20 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may
21 be filled if the September 2004 educational unit count indicates the number of teachers required to meet
22 caseloads for visually impaired students is greater than the Fiscal Year 2005 complement of teachers.

23 Section 140. Section 1 of this Act provides an appropriation to the Department of Health and
24 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be
25 used to compensate correctional inmates for the purpose of producing Braille materials for visually
26 impaired school children.

27 Section 141. Section 1 of this Act provides an appropriation of \$1,687.2 ASF in the Department
28 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.

1 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The
2 department shall continue its efforts to maintain collections related to child support programs, and all
3 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

4 Section 142. Section 1 of this Act provides an appropriation to the Department of Health and
5 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual
6 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

7 Section 143. Section 1 of this Act appropriates funding to the Developmental Disabilities
8 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,
9 \$57.0 shall be used for the Mary Campbell Center.

10 Section 144. Developmental Disabilities Services, Community Services (35-11-30) receives
11 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day
12 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and
13 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day
14 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community
15 residential and day program contracts currently funded out of the Purchase of Care and Purchase of
16 Community Services lines.

17 Section 145. (a) Developmental Disabilities Services (35-11-00) is encouraged, where
18 appropriate, to reallocate resources so as to maximize community-based residential placements for
19 persons with mental retardation. Such reallocation initiatives must be made within the total Division's
20 appropriation limit with the approval of the Budget Director and the Controller General. These
21 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center
22 population.

23 (b) Section 1 of this Act provides an appropriation to Developmental Disabilities Services,
24 Community Services (35-11-30) for the Stockley Transition Plan. This reallocation is the result of the
25 authority found in subsection (a) to reallocate resources to maximize community-based residential
26 placements and shall be monitored to assure the most appropriate levels of care are provided both in the
27 community and at Stockley Center.

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

8 Section 146. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of
9 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The
10 division shall be allowed to collect and deposit funds into this account as a result of revenue from
11 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and
12 tenant fees.

13 Section 147. State Service Centers, Family Support (35-12-10) maintains appropriation accounts
14 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to
15 buy them and to publish a Human Services Directory, respectively.

16 Section 148. Section 1 of this Act for Department of Health and Social Services, State Service
17 Centers, Family Support (35-12-10) includes 3.0 FTE (#59625, #3094, #16224) and \$120.2 Personnel
18 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the
19 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

20 Section 149. Section 1 of this Act includes funding for Contractual Services for Department of
21 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0
22 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be
23 distributed annually in a lump sum at the beginning of the contract year.

24 Section 150. The position of Director, Community Services, shall remain exempt from classified
25 service until such time as the position becomes vacant.

26 Section 151. Notwithstanding any other provisions of the Delaware Code, State employee
27 recognition funds may be used per existing guidelines to include the recognition of volunteers and other
28 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

1 Section 152. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive
2 Medicaid reimbursement for the administration of community based services for the Aging and Adults
3 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division
4 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund
5 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to
6 maintain existing services and provide additional services for adults with physical disabilities. Such
7 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review
8 by the Budget Director and the Controller General.

9 Section 153. Notwithstanding any provisions of the Delaware Code to the contrary, the Division
10 of Social Services (35-07-01) is authorized to make such policy changes in the administration of the
11 Temporary Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware
12 will qualify for the full amount of its federal block grant entitlement. Any changes require the prior
13 approval of the Budget Director and Controller General.

14 Section 154. In prior fiscal years, Section 1 of this Act appropriated funding to Medicaid State
15 for funding of State-run institutions. This funding had provided a separate line item appropriation, as
16 previously required by the federal government, in order to receive Medicaid matching funds. The same
17 Medicaid matching funds will be received by using the current expenditure of funds that are appropriated
18 to each institution allowing the Medicaid – State appropriation to be eliminated. The elimination of this
19 line item does not represent any reduction of services and only represents accounting for the funds in the
20 most appropriate and efficient manner.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 155. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2004, the Budget Director and the Controller General shall transfer \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical Analysis Center (10-02-08).

Section 156. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Budget Director and the Controller General.

Section 157. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and their Families, Child Mental Health Services, Managed Care Organization (37-04-10). These funds shall be used to implement a Drug Court Program with Family Court. In addition, funds from the Juvenile Accountability Incentive Block Grant (JAIBG) and recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 158. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes vacant, it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

Section 159. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are made available with the goal of limiting the number of children who remain in foster care for more than

1 two years. For the year beginning October 1, 2004, the goal will be 220 children. This goal statement is
2 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-
3 272).

4 Section 160. Family Services is hereby directed to formally notify, in advance, the Foster Care
5 Review Board of any meeting, hearing or other event of which the Board desires notification. Said
6 notification shall be directed to the Executive Director of the Board.

7 Section 161. As a means of monitoring and improving the excessive expenditure of
8 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of
9 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the
10 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report
11 shall include, but not be limited to, sick leave usage, vacancy rates, training and transportation costs at the
12 Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect all
13 actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

14 Section 162. The Department of Services for Children, Youth and Their Families shall report on
15 a quarterly basis to the Controller General and Budget Director the status of the Stevenson House Facility
16 in Milford. This report shall include, but not be limited to, staffing vacancies, total budgetary
17 expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility
18 condition and capacities, and incident reports.

19 Section 163. Section 1 of this Act provides an Appropriated Special Fund authorization of
20 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting
21 the Young Criminal Offender Program located at the Department of Correction, Prisons, Howard R.
22 Young Correctional Institution (38-04-06).

23 Section 164. Section 1 of this Act provides an Appropriated Special Fund authorization of
24 \$113.3 to the Department of Services for Children, Youth and Their Families for the purpose of
25 supporting a Family Court Commissioner to assist in the Child Protection Registry appeal process as
26 required pursuant to 16 Del. C. c. 9.

27 Section 165. (a) In addition to the positions authorized in Section 1 of this Act for Family
28 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director

1 may authorize additional training positions for the purpose of training investigative and treatment
2 workers.

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

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

17 Section 166. Section 1 of this Act provides an appropriation to the Department of Services for
18 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$894.4 for
19 Pass Throughs. It includes:

20	Child Advocacy Center	\$587.7
21	People's Place, Milford	\$ 67.0
22	CHILD, Inc.	\$193.3
23	Watchful Shepherd	\$ 46.4

24 The recipient of said funds shall provide a quarterly report to the Budget Director, Controller
25 General, and the Department of Services for Children, Youth and Their Families. This report shall
26 include, but not be limited to, the following: the number of clients served and/or treated, and a summary
27 of expenditures of said funds.

1 Section 167. If the quarterly average daily population at the New Castle County Detention Center

2 is below 114, the Budget Director and the Controller General may reduce the number of casual seasonal

3 or full time positions through attrition.

4

CORRECTION

Section 168. (a) Section 1 of this Act includes funding for relief positions in the Department of Correction, Administration, Human Resources/Employee Development Center (38-01-02). These positions shall be used primarily for training relief. The Department of Correction shall provide a quarterly report to the Budget Director and the Controller General detailing the non-training relief assignments of the staff training relief officers.

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

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

Section 169. Section 1 of this Act makes an appropriation to the Department of Correction, Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of inmate hospice care.

Section 170. Notwithstanding any provision in Title 29, Chapter 69, Delaware Code or any other law to the contrary, the Department of Correction may approve a subcontractor for the purchase and delivery of pharmaceuticals pursuant to the Contract #2828 for correctional health services.

Section 171. Section 1 of this Act provides an appropriation for the Prison Arts Program funded in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, \$4.4 for Supplies and Materials, \$8.4 for casual/seasonal, \$5.7 for Contractual Services and \$0.8 for Travel.

1 Section 172. Section 1 of this Act makes an appropriation to the Department of Correction,
2 Prisons, Bureau Chief-Prisons (38-04-01), Contractual Services. Of this amount \$20.0 shall be used for
3 the purpose of collecting DNA samples. This provides funding for the implementation of House Bill 4 of
4 the 141st General Assembly.

5 Section 173. Section 1 of this Act provides an appropriation for Personnel Costs to the
6 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
7 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to
8 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is
9 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

10 Section 174. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
11 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a
12 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
13 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
14 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of
15 Correction by June 1 of each year, which will include but not be limited to the mission of the
16 organization, the statement of the problem, a synopsis of the program, the number of participants,
17 statistics relating to recidivism rates of those participating in the program and an annual budget of the
18 organization.

19 Section 175. (a) Section 1 of this Act makes an appropriation of \$4,284.3 to the Department of
20 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol
21 Treatment Services; and \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -
22 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,
23 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,
24 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse
25 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are
26 intended to support drug and alcohol treatment programs provided by the department to individuals in its
27 custody or under its supervision. The administration of these contracts shall be the responsibility of the
28 Commissioner of Correction or his designee.

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

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

9 Section 176. Section 1 of this Act provides an appropriation to Community Corrections,
10 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget
11 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,
12 II and III) and the average personnel complement for each level. These reports are due on December 31
13 and June 30.

14 Section 177. (a) The Department of Correction shall have the authority, upon the concurrence
15 and approval of the Budget Director and Controller General, to establish up to 6.0 ASF FTEs. The
16 positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion
17 of projects requested by the Department of Transportation. Upon approval, 2.0 ASF FTEs shall be
18 assigned to the Department of Correction, Prisons, John L. Webb Correctional Facility (38-04-02), 2.0
19 ASF FTEs in Department of Correction, Community Corrections, Plummer Work Release Center
20 (38-06-06) and 2.0 ASF FTEs in Department of Correction, Community Corrections, Central Violation of
21 Probation Center (38-06-10). The source of funding shall be the Department of Transportation,
22 Maintenance and Operations, Maintenance Districts (55-04-70). Adjustments to Appropriated Special
23 Fund spending authority for this program can be made upon the concurrence and approval of the Budget
24 Director and the Controller General.

25 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the
26 following shall be used to continue the existing highway beautification projects: Community Corrections,
27 Kent County Work Release Center (38-06-08) – at least 3.0 positions, Community Corrections, Central

1 Violation of Probation Center (38-06-10) – at least 4.0 positions, and Prisons, Sussex Correctional
2 Institution (38-04-04) – at least 3.0 positions.

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

6 Section 178. The Department of Correction, Administration, Office of the Commissioner (38-01-
7 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget
8 Director and Controller General. The report shall include the number of overtime hours worked and the
9 amount of overtime salary expended by each agency within the Department, and shall include a
10 breakdown of the reason for overtime.

11 Section 179. Prison education services shall be provided by utilizing existing teachers that are in
12 the Department of Correction as well as authorized teaching positions in the Department of Education.
13 The management of all educational positions shall be provided by the Department of Education.
14 Department of Correction teachers shall have the opportunity each year to notify both agencies of their
15 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each
16 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section
17 shall be permanent.

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

23 Section 180. The Department of Correction, Community Corrections, House Arrest (38-06-04)
24 shall provide 24 hour, 7 day a week supervision of community correction’s offenders. The department
25 shall determine the number of employees needed on duty throughout each 24-hour period and arrange
26 staff coverage accordingly. At no time shall the ratio of Probation Officers I’s to other staff exceed 50
27 percent during night time and weekend hours.

1 Section 181. The Merit Rules notwithstanding, Department of Correction employees designated
2 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless
3 of their classification.

4 Section 182. For the upcoming fiscal year, the Videophone System Specialist in Public Defender
5 (15-02-01) shall work with the Department of Correction under the direction of the Deputy Principal
6 Assistant to the Bureau Chief of Prisons to study the feasibility of implementing a distance learning
7 program for persons supervised in Level V facilities. If feasible, a pilot program shall be designed for
8 implementation in the upcoming fiscal year. Funds of up to \$30.0 may be used for program research,
9 operating expenses and supplies.

10

NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Section 183. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to spend up to \$4,107.6 in Appropriated Special Funds. Within this amount, the division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These expenditures should be in accordance with the Capital Development Plan for the division, submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from the listed projects must be approved by the Budget Director and the Controller General.

Section 184. The Department of Natural Resources and Environmental Control will provide the Joint Finance Committee with information on the actual cost of all Title V program activities, including permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the Joint Finance Committee by January 31 and July 31, respectively.

Section 185. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

Section 186. Section 1 of this Act appropriates \$836.9 in General Funds and any revenues collected 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. The contract will require that at a minimum there will be 6 Dog Control Officers in New Castle County, 3 in Kent County and 3 in Sussex County during Fiscal Year 2005.

1 Section 187. Section 1 of this Act makes an appropriation for Contractual Services to the
2 Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-02).
3 Of that total appropriation, \$25.0 is to be dedicated to beaver control.

4 Section 188. Section 1 of this Act makes an appropriation to the Department of Natural
5 Resources and Environmental Control. Of that appropriation, the Department of Natural Resources and
6 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of
7 office space, storage facility, and garage for Mosquito Control.

8 Section 189. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department
9 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management
10 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro
11 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to
12 Claymont/Edgemoor Industrial Complex. The incumbents shall each submit an annual report to the Joint
13 Finance Committee on February 1 of each year, which summarizes the complaints and activities of the
14 previous calendar year. These positions will respond to and provide follow-up on complaints from the
15 community on the air quality throughout New Castle County.

16 Section 190. Section 1 of this Act appropriates funding for an Environmental Engineer assigned
17 to the Claymont/Edgemoor Industrial Complex and to be located at the Robinson House in Claymont.
18 The Department of State, Division of Historical and Cultural Affairs will, in consultation with the
19 Department of Natural Resources and Environmental Control, develop a plan for the renovation of office
20 space within the Robinson House. The Department is also authorized to expend monies from the Penalty
21 Fund to pay for the renovation, subject to approval by the Budget Director and the Controller General.

22 Section 191. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

23 (a) An interest-bearing, Non-Appropriated Special Fund known as the Delaware Marsh
24 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement
25 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,
26 2001. The interest income from this trust account will be dedicated to implement the Settlement
27 Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife
28 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat

enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

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

Section 192. Section 1 of this Act appropriates \$4,009.7 to the Department of Natural Resources, Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services and contractual services at the Bellevue State Park system.

Section 193. The budget complement of the Department of Natural Resources and Environmental Control, Water Resources, Environmental Laboratory (40-08-02) includes 2.0 FTEs Analytic Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes vacant, it shall be converted to ASF. The remaining position shall not be converted.

Section 194. Section 1 of the Act appropriates \$2,699.9 to the Department of Natural Resources and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01). Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

Section 195. Section 1 of this Act appropriates \$503.2 to the Department of Natural Resources and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0 for Contractual Services, \$5.0 for Supplies and Materials, and \$.1 for Travel.

Section 196. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife, Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based Pay Plan report provided to the Controller General's Office on June 8, 1998.

The competency-based pay plan shall provide a plan for employees to follow in order to achieve promotional increases based on objective, measurable, pre-determined standards for all enforcement

employees. These standards include, but are not limited to, training and education, certification, time and experience, public relations, performance review and operational readiness.

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

Section 197. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field staff personnel for the preparation of nutrient management plans.

Section 198. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and abandoned underground storage tank (UST) systems. These USTs shall include those where the responsible parties have shown to the satisfaction of the Department of Natural Resources and Environmental Control, that they do not have the ability to pay for the necessary UST system removal and the remediation of any resulting contamination. In such case, the department shall not seek cost recovery of the funds expended under the HSCA fund.

Section 199. Section 1 of this Act makes an appropriation to the Department of Natural Resources and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the Environmental Training Center at Delaware Technical and Community College, Owens Campus. Funding is to be used to provide training for state and local water and wastewater operators.

Section 200. Fish and Wildlife is authorized to expend funds carried forward from the sale of boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries programs and marine enforcement.

1 Section 201. It is intent of the General Assembly that the Department of Natural Resources and
2 Environmental Control shall be required, pending legal review, to post on its Internet website within three
3 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
4 after such citations have been entered in the courts.

5 Section 202. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,
6 which shall be exempt from the Merit System, to the Department of Natural Resources and
7 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and
8 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.
9 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after
10 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal
11 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to
12 the investigation of the incident; and the indirect costs related to all of the above.

13 Section 203. Section 1 of this Act makes an appropriation for contractual services to Department
14 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance
15 (40-06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

16 Section 204. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the
17 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
18 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
19 the inland bays.

20 Section 205. Section 1 of this Act includes 1.0 FTE in Air and Waste Management, Waste
21 Management (40-09-03) for the Director of Boiler Safety. This position shall be exempt from the Merit
22 System until such time as the current incumbent vacates the position, at which time the position shall be
23 classified by the Director of State Personnel in accordance with the Merit System and 29 Del. C. c. 59.

SAFETY AND HOMELAND SECURITY

Section 206. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 24 additional patrol officers in Sussex County.

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

Section 207. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 208. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Budget Director and the Controller General.

Section 209. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit positions accordingly.

Section 210. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications towers under their administration. The revenues paid to the State under these agreements shall be

1 designated for use by State Police in support of mobile data computing telecommunications infrastructure
2 cost, effective retroactively.

3 Section 211. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I
4 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and
5 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and
6 Troop 6.

TRANSPORTATION

Section 212. The department shall provide a quarterly report of potential liabilities and expenditures from the Environmental Contingency account to the Office of Controller General and the Budget Office.

Section 213. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

(d) Funds provided for Kent and Sussex Transportation “E&H” includes funding for the Sussex County Reimbursable Program. To improve the operation of this program, the following provisions shall be implemented:

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

2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the eligible transportation providers for transportation services commencing the ensuing July

1. Said contracts shall be subject to an annual appropriation for such purpose.

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

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

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

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

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

13 Section 214. Section 1 of this Act appropriates \$980.6 TFO to Finance (55-01-02) for
14 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware
15 River and Bay.

16 Section 215. Section 1 of this Act makes an appropriation of \$830.3 TFO to Planning (55-03-01)
17 for Operations/Capital.

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

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

Section 216. The Department of Technology and Information shall bill the Department of Transportation, Office of Information Technology (55-02-03) on an actual usage basis.

Section 217. Section 1 of this Act provides an appropriation to Maintenance and Operations (55-04-00). Of this appropriation, \$2,610.0 TFO shall be used to implement the National Pollutant Discharge Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget Director and the Controller General on the status of the implementation of NPDES and provide associated cost projections for the remainder of the fiscal year.

Section 218. Section 1 of this Act makes an appropriation in the amount of \$50,189.6 TFO to Maintenance and Operations, Maintenance Districts (55-04-70) and \$13,825.8 TFO to Maintenance and Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is authorized at \$1,310.4 TFO.

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

Line Item	Toll Operations		Maintenance	EZPass	Total All
	I-95	SR-1			
Personnel Costs	2,853.6	3,190.2	6,331.8		12,375.4
Travel	26.0				26.0
Contractual/Supplies	1,387.6	821.1	1,500.0	5,250.0	8,958.7
Energy	114.8	380.4	409.8		905.0
Capital Outlay	91.0		66.0		157.0
TOTALS	4,473.0	4,391.7	8,307.6	5,250.0	22,422.1
FTEs	65.0	74.0	148.0		287.0

Section 219. Section 1 of this Act makes various appropriations from the Transportation Trust Fund for transportation-related operations. Chapters 5.0 and 6.0 of the Merit Rules notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the Department of Transportation's ("Department") efforts to develop and implement two pilot programs to provide employee incentives designed to acknowledge outstanding performance and to achieve a net reduction in costs to the department.

The pilot programs, Shared Savings Program and Quality Service Award Program, shall have oversight by a committee comprised of the Secretary of Transportation, Budget Director, State Personnel Director, State Controller General, a Representative of Council 81 AFL-CIO, a Representative of the Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American Arbitration

1 Association. Guidelines for both pilot programs shall be developed by the department for approval by the
2 Committee. Analytical assistance shall be provided by the staffs of the Finance, Budget Office and
3 Controller General's Office.

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

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

12 Shared savings proposals must be submitted to the Secretary of Transportation by October 1 of
13 each year. Implementation of savings proposals shall commence on July 1 of the following year. Upon
14 the conclusion of each fiscal year, the Oversight Committee shall assess the proposals with respect to
15 their actual savings and shall distribute associated Shared Savings Awards by the following December 1.

16 Section 220. The Department of Transportation and/or its E-ZPass contractor is prohibited from
17 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic
18 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police
19 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

20 Section 221. Section 1 of this Act makes an appropriation to Maintenance and Operations,
21 Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called
22 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.
23 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by
24 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to
25 current fiscal year accounts. The department shall be allowed to transfer funds from this account to
26 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to
27 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the
28 department and the municipality to keep transit routes open during snow and storm emergencies. The

1 transfer of funds from this account shall not require the approval of the Budget Director or the Controller
2 General. The department shall provide quarterly reports each fiscal year to the Budget Director and the
3 Controller General.

4 Section 222. In addition to the positions authorized in Section 1 of this Act for the Department of
5 Transportation, Technology and Support Services, Office of Information Technology (55-02-03),
6 additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of
7 information technology support. As remaining positions for the purpose of information technology
8 support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation
9 Authority may be reallocated to continue the centralization of the information technology function within
10 Technology and Support Services, Office of Information Technology (55-02-03). The Budget Director
11 and Controller General may authorize this reallocation accordingly.

12 Section 223. During the fiscal year, the Department of Transportation shall be prohibited from
13 changing its departmental policy regarding access pipe installation on private homeowner entrances.
14 Specifically, the department shall not charge said homeowners for the labor costs associated with the
15 installation of the access pipe.

16 Section 224. Notwithstanding any other provisions of the Delaware Code, the Department of
17 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state
18 identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be determined by
19 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not
20 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

21 Section 225. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,
22 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

23 Section 226. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance
24 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,
25 2004. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

26 Section 227. The Fiscal Year 2004 Budget Act transferred the Division of Motor Vehicles to the
27 Department of Transportation (55-11-00) from the Department of Public Safety (45-07-00). The
28 Department is directed to submit any proposed reorganization or change in operations that affect delivery

- 1 of services within the Division of Motor Vehicles to the Co-chairs of the Joint Finance Committee for
- 2 approval before implementation.
- 3

LABOR

Section 228. (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, 2004. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2005, on or about June 15, 2005. 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) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment, supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and equipment shall be reverted to the Department of Labor.

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

Section 229. Section 1 of this Act provides an appropriation of \$355.0 in Contractual Services to Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit professional apprenticeship and training program for young Delawareans ages 18-30. The training and apprenticeships shall include leadership skills, team building, problem solving and community issues.

AGRICULTURE

Section 230. Section 1 of this Act appropriates 1.0 ASF FTE to the Agricultural Lands Preservation Foundation (65-01-13). This position shall be contingent upon the appropriation of sufficient operating funds for the Agricultural Lands Preservation Foundation as contained in the Fiscal Year 2005 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003 Capital Improvement Act.

Section 231. Section 1 of this Act appropriates one time funding of \$600.0 to the Office of the Budget, Contingencies and One-Time Items (10-02-04) to implement the state crop insurance program initiated in Fiscal Year 2004. The state crop insurance program is intended to encourage farmers to enroll in federal crop insurance programs and provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost share assistance at a rate not to exceed 20 percent of farmer paid premium with a maximum subsidy of \$2.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include guidelines to prorate available resources accordingly if applications exceed funding. The Department of Agriculture shall provide the Controller General and the Budget Director with a report by April 1, 2005 detailing the commitments and expenditure of said funds. It is the expectation that when a significant number of agricultural landowners participate in crop insurance the necessity of this program will be re-evaluated.

ELECTIONS

Section 232. Any Department of Election, upon approval of the respective Board of Elections, may establish polling places in which one or more small mandated districts of less than 300 registered voters as of 60 days prior to the date of an election may be administered by the election officers of another election district.

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

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

Section 233. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board, referenda and bond issue elections to the Department of Elections, should this law be funded by the General Assembly.

Funding included in Section 1 of this Act provides an appropriation to the Department of Elections, Commissioner of Elections (70-01-01) in the amount of \$350.0, which includes all costs for transporting voting machines used in all public school elections. On or before July 31 of each fiscal year, the Commissioner shall transfer an amount equal to 50 percent of prior year expenditures on school elections in each county to the Department of Elections in New Castle County, Kent County, and Sussex County.

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

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

Section 234. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its statewide efforts to maintain the voter rolls in an orderly manner.

Section 235. For purposes of designating and procuring polling places for primary, general and special elections, the respective county department of elections shall pay a rental fee totaling \$0.2 for each facility used, no matter how many election districts are assigned to that facility.

Section 236. Any state agency, office or department is prohibited from publishing or funding the publication of voter guides.

Section 237. (a) Section 1 of this Act appropriates funding to the Office of the Budget, Contingencies and One-Time items (10-02-04) for the Department of Elections to utilize for costs associated with the upcoming general election in November 2004. The Department shall also utilize federal funding that has been reimbursed to the state for costs associated with the upcoming general election. Said funds shall be provided as follows:

	FY 2005 One-Time	Federal Reimbursement Funds
Commissioner	\$184.3	\$25.0
New Castle County	254.5	790.0
Kent County	205.6	50.0
Sussex County	205.6	50.0
General Election Total	\$850.0	\$915.0
Voting Machines		185.0
Grand Total	\$850.0	\$1,100.0

(b) Notwithstanding any other provisions of the Delaware Code or this Act to the contrary, the Commissioner of Elections and the Department of Elections for New Castle County, Kent County, and Sussex County are authorized to use prior year funds originally appropriated as School Elections, Voter

- 1 Purging, One-Time, Reapportionment, and Technical Development, for costs associated with the
- 2 upcoming general election in November 2004.

FIRE PREVENTION

Section 238. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Volunteer Firemen's Association and are to be used for the purpose of operating a statewide Fire Safety Education Program.

Section 239. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

NATIONAL GUARD

Section 240. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

Section 241. Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.

HIGHER EDUCATION

Section 242. Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02). This figure includes total state assistance for University operations costs as well as funds required to be appropriated by 29 Del. C. § 5505(6). The appropriation for Operations of the University of Delaware includes \$2,373.9 for energy.

Section 243. (a) Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

General Scholarships	\$2,595.7
Scholarships	1,994.7
Minority Student Recruitment	1,484.7
Aid to Needy Students	1,653.4
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$8,180.0

Agricultural Programs:

Agricultural Experimental Station	\$ 589.5
Agricultural Cooperative Extension	870.9
Agricultural Research and Education Center	426.3
Poultry Disease Research	554.8
Crop Extension	280.9
Agricultural Environmental Quality	185.1
Soil Testing and Pesticide Program	264.3
Diagnostic Poultry Program	<u>141.8</u>
Total	\$3,313.6

1	<u>Other Programs:</u>	
2	Sea Grant	\$ 506.6
3	Urban Agent Program	122.8
4	Public Service and Applied Research Projects	410.2
5	Minority Recruitment	265.5
6	Local Government Research and Assistance	217.1
7	Graduate Education (Southern Delaware)	33.8
8	Library Automation	52.0
9	MALS/BALS - Southern Delaware	64.1
10	Nurse Practitioner	244.8
11	Science, Engineering and Technology Service Program	142.9
12	Molecular Biology/Biotechnology Program	455.0
13	Math/Science Education for DE Teachers	570.5
14	Advanced Materials	184.2
15	Center for Community Development and Family Policy	238.7
16	Training and Research (Educational Management)	107.9
17	Computer Aided Math Instruction	80.0
18	Advanced Electronics and Materials Initiative	540.8
19	Field Hockey Coach	33.0
20	Delaware Center for Teacher Education	320.7
21	Research on School Finance Issues	82.5
22	Delaware Education Research and Development Center	216.2
23	Delaware Research Scholars Program	150.0
24	Milford Professional Development School	108.0
25	Information Technology Partnership	2,321.0
26	ITV Technician	55.1
27	Core Content Teacher Education	289.4
28	Biotechnology	475.9

1	Computer Aided Instruction, Arts & Science	100.0
2	Clinical Instruction in Teacher Education	217.2
3	Early Childhood Education	103.8
4	Civics Education for Teachers	100.0
5	Biotechnology Institute	236.2
6	Software License Support	125.0
7	Assistant Women's Coaches	41.8
8	Study Abroad for Delaware Residents	<u>50.0</u>
9	Total	\$9,312.7

(b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2005 budget is as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year 2005 utilizing University funds for those programs identified for reduction in State funds during Fiscal Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these programs nor discontinue any of the impacted programs.

(c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of said funds, \$100.0 shall be combined with University funds to honor commitments made to currently enrolled eligible recipients prior to Fiscal Year 2005, until said completion. The remaining \$100.0 shall be used for new students in Fiscal Year 2005. Students that are pursuing educational or nursing degrees shall have priority in receiving a merit scholarship under this Program.

Section 244. Section 1 of this Act provides an appropriation to the University of Delaware (90-01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative Extension Program.

Section 245. Section 1 of this Act provides an appropriation to the University of Delaware for the Milford Professional Development School. The University and the Milford School District shall submit to the Controller General and the Budget Director, by March 1, 2005, a joint report detailing the implementation status of this program as it relates to the appropriation herein.

1 Section 246. Section 1 of this Act makes an appropriation to Delaware State University,
2 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
3 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
4 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and
5 \$100.0 shall be for scholarships for female athletes.

6 Section 247. For the fiscal year covered by this Act, in order to continue the assessment of
7 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
8 as a result of processing accounting transaction data into two independent accounting systems, the Budget
9 Director has authorized Delaware State University to:

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

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

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

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

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

27 Operations as enabled by this section shall be periodically reviewed and evaluated during the
28 stated period by the Office of the Budget, the Department of Finance and the Office of Auditor of

1 Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and this
2 authority may be withdrawn for cause at any time during the stated period, with the allowance that
3 Delaware State University will be provided reasonable time to revert to standard processes.

4 Section 248. Section 1 of this Act provides an appropriation to Delaware Technical and
5 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and
6 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware
7 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two
8 institutions under a contract initiated by Delaware Technical and Community College. Under this
9 contract, the University of Delaware will teach students at Delaware Technical and Community
10 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community
11 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.
12 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers
13 the relevant service and after the institutions have reached an agreement for tuition sharing.
14 Representatives from both institutions will meet at least once each semester to review program
15 operations.

16 Section 249. Section 1 of this Act contains an appropriation of \$233.7 for the Delaware Institute
17 of Veterinary Medical Education (DIVME). Notwithstanding current Laws of Delaware relating to the
18 DIVME Program, these funds shall be used to provide tuition support for five Delaware residents
19 studying at the veterinary medicine program at the University of Georgia, four Delaware residents
20 studying at the veterinary medicine program at Oklahoma State University, plus four additional students
21 accepted to a veterinary medicine program for the coming year.

EDUCATION

Section 250. The provisions of this Act and the Delaware Code notwithstanding, the Department of Education, Budget Office and Controller General's Office are authorized to simplify the complexity of state share accounting by consolidating school district appropriations in the Delaware Financial Management System. Such consolidation may include state funding appropriated and allocated to school districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading Cadre, Teacher to Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and provision of expenditure stipulated in 14 Del. C. and in this Act.

Section 251. (a) For this fiscal year, employees who have been issued an emergency certificate for a third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary reduction. Employees currently on an emergency certificate as a result of being assigned to an area outside the area of certification shall not receive a ten percent salary reduction.

(b) Section 1 of this Act makes an appropriation of \$3,050.0 to Public Education, School District Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This appropriation provides funding for the supplements associated with professional development clusters, mentor stipends and National Board Certifications. Any new programs, initiatives and/or clusters for supplemental pay must be approved by the Professional Standards Board, State Board and Department of Education. The implementation and effective dates for any new programs, initiatives or clusters for supplemental pay must first be established and approved by the Budget Director and Controller General, and is subject to available appropriation.

(c) Recognizing the effort involved in pursuing a National Board for Professional Teaching Standards (NBPTS) certification by individuals paid under 14 Del. C. §1305, excluding superintendents, assistant superintendents, directors, and individuals employed in non-instructional areas detailed in Section 1312(c), and employees at the Department of Education, such certification shall result in a salary supplement as specified in 14 Del. C. §1305 (m). The salary supplement shall be based upon the 10-month base state salary scale for teachers. The Department of Education shall report

1 annually to the Budget Director and Controller General the number of NBPTS certificates obtained
2 under this program. The NBPTS salary supplement shall be valid for a period not to exceed ten years.

3 Section 252. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to
4 the State Board of Education and State Board for Vocational Education and Department of Education (95-
5 01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts
6 outside of the State accounting system and the Fund shall be interest bearing.

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

10 Section 253. (a) Amend 14 Del. C. §1305 (h) by deleting the number “2005” as it appears therein
11 and substituting in lieu thereof the number “2006”.

12 (b) Amend 14 Del. C. §1318A (b) (10) by deleting the number “2004” as it appears therein and
13 substituting in lieu thereof the number “2005” and by deleting the phrase “June 1” as it appears therein
14 and substituting in lieu thereof the phrase “July 1”.

15 (c) Amend 14 Del. C. §1318 (g) by deleting the number “2004” as it appears therein and
16 substituting in lieu thereof the number “2005”.

17 (d) Amend 14 Del. C. §1320 by deleting the number “2004” as it appears therein and substituting
18 in lieu thereof the number “2005”, and by deleting the phrase “June 1” as it appears therein and
19 substituting in lieu thereof the phrase “July 1.”

20 (e) Amend 14 Del. C. §1703 (j) by deleting the number “2005” as it appears therein and
21 substituting in lieu thereof the number “2006”.

22 Section 254. For this fiscal year, the inflation factor for the local per pupil payments required
23 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per
24 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),
25 shall be equal to two percent.

26 Section 255. Section 1 of this Act makes an appropriation to Public Education, State Board of
27 Education and State Board for Vocational Education and Department of Education, State Board of
28 Education and Department of Education (95-01-01) for Educator Certification and Development

activities. This appropriation to the Department of Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures; revision and update of teacher and administrator evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and expanding the Alternative Routes to Teacher Certification program.

Section 256. Section 1 of this Act provides an appropriation of \$329.5 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 Standards and Assessment. Part of the Standards and Assessment program agenda is to support the development and implementation of performance indicators.

Section 257. Section 1 of this Act makes an appropriation of \$42.0 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 Odyssey of the Mind. This appropriation shall be made available to school students to assist in defraying out-of-state travel expenses associated with this program.

Section 258. Section 1 of this Act makes an appropriation of \$500.0 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 Student Mentoring. Of this amount \$350.0 shall be used by the Department of Education to review and award grants competitively to schools with grades kindergarten through eighth. Programs selected shall provide at-risk children with academic tutoring and instruction, with the involvement of parents and volunteer mentors. School districts shall make direct application to the Department on behalf of individual school buildings, addressing in their proposal the following: (a) one-on-one tutoring for academically at-risk students; (b) early childhood preventive intervention strategies; (c) adherence to academic standards as adopted by the State Board of Education; (d) parental involvement; and (e) provision of program evaluation and performance evaluation. Local schools are encouraged to utilize such programs for students during non-core academic class time. Grant awards for individual schools, of no more than \$30,000 each, shall be determined by the Department no later than November 30 of each year and funds shall be allocated by December 31 of each

1 year. The remaining \$150.0 may go to the University of Delaware for the Delaware Mentoring Council
2 to provide technical assistance and professional development for mentors and other activities.

3 Section 259. Section 1 of this Act appropriates \$600.0 to Public Education, State Board of
4 Education and State Board for Vocational Education and Department of Education, State Board of
5 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be
6 used to support the development and implementation of automated systems to manage such activities as
7 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills
8 and knowledge supplements; development of on-line standards-based units of instruction; and the
9 accountability reporting system.

10 Section 260. Section 1 of this Act appropriates \$1,220.0 to Public Education, State Board of
11 Education and State Board for Vocational Education and Department of Education, State Board of
12 Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be
13 used to support the design and implementation of DPAS II; teacher recruitment and retention programs;
14 and modification of the licensure and certification system. Prior to expending any of these funds, an
15 approved budget must be submitted by the Secretary of Education, after consultation with the
16 Professional Standards Board, and approved by the Budget Director and Controller General.

17 Section 261. The Department of Education shall transfer \$100.0 to the Department of Safety and
18 Homeland Security, State Police (45-06-00) to reimburse qualified applicants for the cost of criminal
19 background checks for all school district employees on a first come, first served basis. State Police shall
20 send quarterly reports to the Department of Education regarding expenditures of said funds.

21 Section 262. 14 Del. C. § 122(e), requires the Department of Education to review all regulations
22 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a
23 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership
24 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted
25 challenging content and performance standards, have aligned assessments to those standards, have
26 established a system of school and district accountability, and allow waiver of State statutory and
27 regulatory requirements relating to education.

1 Given federal approval of the Department of Education's application for Ed Flex, the Department
2 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility
3 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
4 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
5 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.
6 State programs for which waivers may be granted include, but are not limited to, Extra Time, School
7 Climate and Discipline, Academic Excellence, Early Reading Intervention, Student Mentoring, and
8 Professional and Curriculum Development.

9 Section 263. During Fiscal Year 2005, the Department of Education may be authorized to
10 continue a pilot funding structure within Brandywine and Seaford School Districts, to provide resources
11 to students with disabilities in the most flexible and equitable manner possible, upon approval of the
12 Budget Director and Controller General. Any changes to the existing structure must be approved by the
13 Budget Director and the Controller General. The Department of Education must demonstrate the benefits
14 and cost effectiveness of this program, in a report to the Budget Director and Controller General by July
15 1, 2004.

16 Section 264. The Delaware Code notwithstanding, during this fiscal year, the Budget Director is
17 authorized to continue funding for issues such as, but not limited to, the number of administrative
18 positions and activity busing for which the State was required to provide funding as a result of a 1978
19 federal court order. This authorization, as it relates to administrative positions, shall apply only to
20 positions filled for employment, and shall not be considered as authorization to fund any cash options
21 pursuant to 14 Del. C. § 13.

22 Section 265. Line item funds appropriated in Section 1 of this Act to Public Education, School
23 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the
24 State Board of Education and State Board for Vocational Education and Department of Education (95-01-
25 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local
26 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state
27 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the

1 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil
2 transportation costs.

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

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

15 Section 266. Section 1 of this Act makes an appropriation to Public Education, School District
16 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20
17 guaranteed units. In the event that more units are required districts shall receive partial unit funding in
18 proportion to the units available.

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

21 Section 267. Notwithstanding the provisions of 14 Del. C. §1703, the First State School Program
22 shall be guaranteed state funding based upon a minimum of two Division I units. In addition, Section 1 of
23 this Act appropriates \$231.0 to Public Education, Block Grants and Pass Through Programs, Special
24 Needs Programs (95-03-20) for the First State School.

25 The Department of Education, Children's Services Cost Recovery Project is authorized to pursue
26 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State
27 School. Students in the program are considered eligible for special education services and have
28 Individual Education Plans in addition to their medical treatment plans. Any funds recovered shall be

returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State School operational costs.

The Department of Education is authorized to provide the AI duPont Hospital Program annual state funding in an amount not to exceed \$50.0 from funds appropriated in Section 1 of this Act to Public Education, School District Operations, Other Items (95-02-02).

Section 268. Section 1 of this Act provides certain appropriations to Public Education, School District Operations, Other Items and Debt Service. These amounts are not based on the unit system. Allocation of these funds shall conform to the following:

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

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

1. Caesar Rodney - Americanization	\$ 14.1
2. Red Clay - Americanization	113.6
3. Margaret S. Sterck -	
Residence - Other Costs	85.4
Consultant Services	11.0
Preschool Summer Program	6.9
4. Christina Autistic -	
Residence - Other Costs	206.5
Contractual Services	11.4
5. John G. Leach	50.0
6. Sussex Orthopedic School	<u>12.9</u>
Total	\$511.8

Section 269. (a) Section 1 of this Act makes an appropriation to Public Education, School District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount, \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as academic review, academic watch or academic progress. The remaining \$100.0 shall be allocated for

recognition of schools and districts that receive the superior designation. Such recognition shall include special ceremonies and/or the award of plaques or flags.

(b) Amend 14 Del. C. §155(c) by deleting the remainder of the paragraph after the words “plaques or flags” in its entirety.

Section 270. Section 1 of this Act makes appropriations to Public Education, School District Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II - Energy Unit shall be valued at \$1,682.00. A Division II - All Other Costs Unit shall be valued at \$3,247.00.

Section 271. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during Fiscal Year 2005, the sum authorized to the Education Expense and Property Tax Relief Fund shall be allocated as follows:

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

1	Indian River	0	592,680	592,680
2	Laurel	46,755	311,559	358,314
3	Laurel ILC	5,874	0	5,874
4	Seaford	0	263,895	263,895
5	Seaford ILC	6,025	0	6,025
6	Woodbridge	19,003	105,997	125,000
7	New Castle Vo-Tech	0	834,485	834,485
8	New Castle Vo-Tech ILC	25,192	0	25,192
9	Polytech	0	125,000	125,000
10	Polytech ILC	12,272	0	12,272
11	Sussex Technical	<u>0</u>	<u>0</u>	<u>0</u>
12	Total	\$1,081,740	\$16,467,766	\$17,549,506

13 Section 272. Section 1 of this Act provides an appropriation to School District Operations,
14 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit
15 of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from
16 the district’s entitlement in Fiscal Year 2005.

17 Section 273. Section 1 of this Act contains appropriations to the Department of Education,
18 School District Operations of \$659,745.7. These appropriations include a reduction of \$7,000.0 in state
19 operating funds. This reduction will be allocated among school districts and charter schools based on the
20 September 30, 2004 student enrollment, as certified by the Department of Education. Preliminary
21 reduction plans are to be submitted to the Department of Education, Budget Office and Controller
22 General’s Office no later than June 25, 2004. The preliminary amount is based upon the September 30,
23 2003 student enrollment as certified by the Department of Education. Final reduction plans are to be
24 submitted to the Department of Education, Budget Office and Controller General’s Office by December
25 15, 2004.

26 Beginning on July 1, reductions will be applied to Department of Education, School District
27 Operations, Division II - All Other Costs. Once final reduction plans are received the appropriate
28 adjustments will be made. Reductions plans should be in accordance with the following:

29 (a) Districts may use Division I savings from unfilled units as a reduction, up to a maximum of
30 25% of their individual reduction amount or one unfilled unit, whichever is greater. The amount to be
31 utilized as a credit per position will be as follows: Superintendent \$92,809, Assistant Superintendent
32 \$78,805, Administrative Assistant \$50,757, Director \$75,667, Supervisor \$66,770, Principal \$72,813,
33 Assistant Principal \$66,208, Teacher \$46,663, Secretary \$36,273, Custodian \$30,627.

(b) Funds associated with the cash options authorized in 14 Del. C. § 1321(e)(11) for administrative positions and 14 Del. C. § 1716(g) for academic excellence units are acceptable.

(c) (1) No program allocation may be reduced by more than 30% with the exception of Division II - Energy, Division II - All Other Costs, Division III – Equalization, Guaranteed Unit Count and Tax Relief and Education Expense Fund.

(2) Division II - All Other Costs for Vocational Programs is subject to a 25% limitation.

Notwithstanding the provisions of 14 Del. C. § 1706, the remaining 75% of Division II - All Other Costs for Vocational Programs shall be allocated to each school that generates these funds and expended to support the State-approved occupational-vocational courses and programs at that school.

(3) Reductions may not be made to programs covered in Section 275(a)(10) and Section 297 of this Act.

(d) Notwithstanding the provisions of Section 26 (b), funds currently appropriated as 15 month grants will be extended until June 30, 2005 and may be expended anytime during Fiscal Year 2005.

Section 274. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This appropriation shall be allocated by the Department of Education to the following programs/districts: Adult Trade Extension/Apprentice Program (statewide), James H. Groves High School (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative Secondary Education Program (statewide), Communities in Schools of Delaware, Marine Mechanics Apprenticeship Program (Sussex Technical School District) and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2005, each program shall receive no less than the same allocation from this appropriation as its Fiscal Year 2004 allocation.

Section 275. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

(a) The following allocations shall be provided:

1 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to
2 Certification program, to include an expansion for Special Education. The remaining
3 \$75.0 may be used for the Summer Institute program.

4 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional
5 and curriculum development activities. Districts shall submit applications to the
6 Department of Education detailing the district's plan for the utilization of these funds.
7 The Department of Education shall review and approve plans and allocate an amount not
8 to exceed \$331.00 per certified employee, based on a district's personnel complement for
9 the 2003-2004 school year. Grants are to be used for developing and implementing
10 curriculum based on the content standards established by the Curriculum Frameworks
11 Commission, as approved by the State Board of Education or for other professional
12 development activities, including, but not limited to: Discipline, Special
13 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
14 Decision Making, local school board member training, and Educational Technology.
15 Districts are encouraged to collaborate as a means of maximizing resources as well as
16 focusing district activities on consistent principles. Grants may be utilized for training,
17 planning, in-service programs and contractual services. The Department of Education is
18 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
19 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final
20 approval of the district application for funding.

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

23 (a) Integration of the proposal with existing resources and programs such as the
24 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,
25 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education
26 and local funds dedicated to Standards and Assessment.

27 (b) Inclusion of local staff in planning of the grant proposal, with representation
28 from all involved in student learning, including all professional employees by

category. The plan(s) should focus on overall improved student performance, with a built in level of accountability to determine effectiveness.

(3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall determine, in coordination with the agency (or agencies) operating this program, the goals and objectives of this program, including how it will further the objectives of Standards and Assessment and integrate Shared Decision Making training into the program focus. The Controller General and the Budget Director shall ensure that the proposed program is cost efficient and meets the objectives outlined in this section before agreeing to transfer the appropriation from the Department of Education to the operating agency. All expenditures from this allocation shall serve principals from the State of Delaware only.

(4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary teachers to assist new teachers through leadership and guidance, and includes a training component in order for teachers to become better mentors. This funding level allows for a statewide program.

(5) \$1,100.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition reimbursement for summer school courses. This allocation provides, at the discretion of the Department of Education, for the possible operation of a tuition reimbursement program for the purpose of reimbursing public school employees and teachers employed by state agencies for tuition payments for undergraduate and graduate college courses, including Early Childhood Education courses, or courses in an Education Technology Certificate Program. Funds may only be used to reimburse certificated non-administrative employees and paraprofessionals. No payment shall be made unless the course taken relates to the employee's job assignment and is taken with the prior approval of the employing district board, superintendent or state agency. Local school district boards of education are required to prioritize the allocation of the funds they receive to support the educational advancement efforts of regular education teachers taking special education and/or mainstreaming related courses and other educational priorities established by the local boards of education based on staff development goals or to

1 ameliorate identified deficiencies. This allocation may be used by local school districts
2 to defray the costs for teachers seeking application for National Board Certification from
3 the National Board for Professional Teaching Standards, and to defray the cost of the
4 Para Pro-assessment for paraprofessionals.

5 Reimbursement for tuition may be made for courses taken during summer
6 school or during the academic year for which a passing grade of B or better is obtained.
7 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a
8 course with an equal number of credit hours at the University of Delaware. Of the total
9 allocation made by Department of Education, a minimum of .75 percent shall be
10 allocated to state agencies and the balance shall be allocated to school districts in
11 amounts equal to each school district's proportion of Division I units to the total number
12 of Division I units statewide on September 30, 2004. Any funds not expended by a
13 school district or a state agency shall be transferred to other districts or agencies. In the
14 event that any district's allocation is not sufficient to provide total reimbursement to all
15 eligible employees, the district shall pro-rate the funds so that each eligible employee
16 receives a share of the total district allocation equal to the individual employee's
17 reimbursable expenditure divided by the total reimbursable expenditure of all employees
18 in the district multiplied by the district allocation. Funding for each school district shall
19 be divided into two equal parts. The first one-half shall be prorated as described above
20 among eligible employees who complete their courses prior to February 1, 2005. The
21 second one-half shall be prorated as described above among eligible employees who
22 complete their courses prior to June 15, 2005. In the event that funds remain in either
23 half year, the district shall be authorized to reallocate those funds to reimburse eligible
24 employees in the other portion of the year who did not receive full reimbursement. This
25 section shall supersede collective bargaining agreements to the contrary.

26 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of
27 release time of exemplary teachers in the content areas in which the State Board of
28 Education has adopted content standards, who will provide assistance to districts on a

1 statewide basis in designing, demonstrating and implementing best teaching practices in
2 the development of curriculum to meet the established standards. The Department of
3 Education is authorized to transfer 50 percent of the estimated district grant amount by
4 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days
5 of the final approval of the district application for funding.

6 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
7 will be allocated to the University of Delaware and \$169.1 to Delaware State
8 University to fund summer programs for the professional development of teachers. It is
9 intended that curriculum of the summer classes offered through this program, to
10 teachers and aides, be consistent with the curriculum standards which are currently
11 under development or have previously been adopted by the State Board of Education.
12 Both the University of Delaware and Delaware State University shall incorporate into
13 their Summer School for Teachers course structure, the appropriate and necessary
14 elements that will enable participants to develop relevant classroom curriculum as well
15 as to gain additional exposure to best teaching practices in the standardized content
16 areas. The Department of Education shall continue to make staff available to assist each
17 institution in the preparation of the summer coursework. Future budget requests for
18 this program will be made by the Department of Education in their annual budget
19 request, following consultation with the University of Delaware and Delaware State
20 University.

21 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and
22 curriculum development activities in the content areas of reading and social studies.
23 The Department of Education shall determine, in coordination with the agency (or
24 agencies) performing such activities, the training goals and objectives, including how
25 the objectives of Standards and Assessment will be furthered. The Department of
26 Education, Controller General and Budget Director shall ensure that the proposed
27 development activities are cost efficient and meet the objectives outlined in this section

1 before agreeing to transfer the appropriation from the Department of Education to the
2 operating agency.

3 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of
4 Education shall determine, in coordination with the agency (or agencies) operating this
5 program, the goals and objectives of this program, including how it will further the
6 objectives of Standards and Assessment. The Department of Education, Controller
7 General and Budget Director shall ensure that the proposed program is cost efficient
8 and meets the objectives outlined in this section before agreeing to transfer the
9 appropriation from the Department of Education to the operating agency.

10 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,
11 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
12 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the
13 creation of a Reading to Reading Cadre which will provide assistance to districts in
14 designing, demonstrating and implementing best practices in reading instruction. Such
15 position shall be responsible for curriculum alignment and professional development in
16 reading for district educators.

17 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by
18 the Department of Education for administrative costs during the coordination of
19 teachers seeking national certification from the National Board for Professional
20 Teaching Standards (NBPTS).

21 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of
22 Education to implement a program for a career pathway for school district
23 paraprofessionals at Delaware Technical and Community College.

24 (13) \$25.0 for Models of Excellence. These funds shall be used to identify the
25 achievements of Delaware schools, to learn from program success in improving student
26 achievement and to recognize and share best practices among districts.

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

1 Section 276. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
2 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
3 \$26,773.6 shall be used to fund units for academic excellence in the school districts in accordance with 14
4 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number
5 of Division I Units each district enrolls on the last school day in September. School districts may use the
6 funds to: purchase computer hardware, software or services; calculators; library resources; fund
7 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district
8 is entitled to less than one nurse per school; provide a student work-study program; provide conflict
9 resolution training; provide extended day or extended year programs for students performing below the
10 standard level; and provide stipends for professionals engaged in curriculum or professional development
11 activities sponsored by a local school district or the Department of Education, outside of the regular
12 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide
13 services. No homebound funds may be spent to provide services to students who have been suspended or
14 expelled from school, except for special education students. The Department of Education shall provide
15 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director
16 and Controller General no later than December 1 of each year.

17 Section 277. For the fiscal year beginning July 1, 2004, any local school district that has had two
18 consecutive failed current expense tax referendums during the time period July 1, 2002 to January 1,
19 2005, is authorized to exercise the cash option on Academic Excellence units up to the total number of
20 units provided under that program. This provision will apply for Fiscal Year 2005 only. In addition,
21 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
22 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
23 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

24 Section 278. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block
25 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It
26 is the intent that this money be used to provide summer programs including an eighth grade program in
27 environmental heritage.

1 Section 279. Section 1 of this Act provides an appropriation of \$242.2 to Public Education,
2 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALOUD
3 Delaware Program. READ-ALOUD Delaware is to continue to develop and foster programs for the
4 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
5 for learning. The monies passed through to READ-ALOUD Delaware shall be used to provide programs
6 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

7 Section 280. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block
8 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
9 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
10 summer school program, for college credit, for gifted and talented students.

11 Section 281. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,
12 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
13 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap
14 program. The Department of Education shall transfer this appropriation to the University of Delaware,
15 which acts as the fiscal agent for this statewide program.

16 Section 282. Section 1 of this Act provides an appropriation of \$195.2 to Public Education
17 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
18 Economic Education. Of this amount, \$29.1 is appropriated to develop a pilot program to test a
19 professional development model for systematically training teachers in content and pedagogy and
20 provide them with ongoing support in the classroom.

21 Section 283. In order that the children for whom the learning disability and socially or
22 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such
23 children, the Department of Education shall require strict adherence to approved guidelines before release
24 of any funds designated for such children. The Department of Education shall particularly ascertain that
25 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are
26 developed to determine eligibility of socially or emotionally maladjusted children so that this category
27 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious
28 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally

maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made at least every three years. The Department of Education will report annually to the Budget Director and the Controller General on or before April 1 on the actions and results of actions required by this section.

Section 284. Section 1 of this Act makes an ASF appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation and operation of the project for the fiscal year ending June 30. Local school district participation shall be on a district-wide basis.

The following resources are appropriated to operate the Children's Services Cost Recovery Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel which, pursuant to this section, are passed through to the local school district shall be dedicated to implementing the Children's Services Cost Recovery Project.

In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be located at the Department of Education. The Department of Education is hereby permitted to authorize the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and § 1309, including the local salary supplement in place at the employing local school district.

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

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

Section 285. For the purpose of participating in the Children's Services Cost Recovery Project, provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. § 1092, shall be considered in compliance with qualification standards equivalent to state licensure to practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be limited to the delivery of services related to State Board of Education or local school district approved school programs conducted within the course of the regular school day at a State Board of Education or local school district approved school site or least restrictive environment location. The provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do so to represent himself to the public by any title or description of services incorporating the words "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except as may be herein specifically provided.

Section 286. The Interagency Resource Management Committee (IRMC) fosters an interagency approach in coordinating the delivery of early care and education services in Delaware, and the establishment and operation of the Office of Early Childhood.

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

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

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

The Budget Director and the Controller General are hereby authorized to transfer funds among the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the

department, as the case may be, to which the funds were previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be composed of a director, an assistant director and a clerical support position. Funding shall be provided by the Department of Health and Social Services and the Department of Services for Children, Youth and Their Families no later than July of each fiscal year to support the operational costs associated with the assistant director and clerical support positions. Funds allocated in this section are to be used to support the work of the Office and to continue the interagency evaluation process for Delaware's early childhood programs.

Section 287. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

(a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be utilized for improvement of academic programs and \$200.0 will be utilized for extended year opportunities. If funds provided under this section are used for costs associated with teachers and aides, as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share. Programs receiving funds under this section may utilize no more than \$300.0 in total from Pupil Transportation (95-04-01) for transportation expenses.

(b) A total of \$7,619.8 is authorized for disruptive students at the school and district levels. The base incentive grants shall be provided to all school districts in the State as follows:

Schools grades K-6:	\$30.0
Schools grades 7-12:	\$40.0

If funds provided under this section are used for costs associated with teachers and aides, as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

1 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to
2 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and
3 certification in the district's grant application that the school is in compliance with the provisions of the
4 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

5 Each school shall receive no less than the amount received in the fiscal year ending June 30. In
6 order to provide districts with grants in a timely manner, all applications for base grants must be
7 submitted for review by the Department of Education no later than November 15 of each year.

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

13 (d) The Department of Education shall determine common data definitions and data collection
14 methodologies for each program in this section. Districts shall use such definitions and methodologies
15 and shall provide information as requested by the Department of Education. This information shall
16 include but not be limited to the following: the number of students served, reasons for service, measures
17 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within
18 programs, and number and types of referrals for additional services. The Department of Education shall
19 prepare a statewide management report to identify needs for program improvement and best practice.

20 (e) A total of \$3,450.7 is authorized for prevention components administered by the Department
21 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be
22 provided as follows:

23 (i) \$3,450.7 to provide early intervention services through the Department of Services for
24 Children, Youth and Their Families, Family Crisis Therapist Program. Services are
25 intended for grades K-3 and shall address but not be limited to, problems such as Early
26 Onset Conduct Disorder. The Department of Services for Children, Youth and Their
27 Families may enter into contractual agreements, may employ casual/seasonal personnel, or
28 may create the necessary positions with the approval of the Delaware State Clearinghouse

1 Committee and maintain an ASF or NSF account with sufficient spending authority to
2 operate the program.

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

15 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th General
16 Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative
17 school program. The program shall be developed utilizing research based best-practice models as
18 described in “Comprehensive Programs Which Improve Student Discipline, Final Report, April
19 1999”. The program shall provide year-round services to no more than 100 students. This
20 program shall be considered a special school for the purposes of charging tuition payments to be
21 made by school districts of residence under the statutory provisions of 14 Del. C. c. 6, such that
22 the districts shall fund at least 30 percent of the total cost of the program. The Department of
23 Education and the New Castle County Consortium shall oversee administration of the program.
24 Such oversight shall include an annual evaluation of the program. The New Castle County
25 Consortium may enter into contractual arrangements to operate the program.

26 Section 288. Section 1 of this Act provides an appropriation to Public Education, Block Grants
27 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only
28 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 Section 289. Any placement made pursuant to 14 Del. C. § 3124 in which the individual
5 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

6 Section 290. Section 1 of this Act provides an appropriation to Public Education, Block Grants
7 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
8 Vocational. This appropriation shall be used to continue the program of vocational education for
9 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
10 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week
11 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding
12 otherwise provided under 14 Del. C. § 1703(d).

13 Section 291. (a) Section 1 of this Act provides an appropriation to Public Education, Block
14 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in
15 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low
16 achieving students in order that they may improve their academic performance in the four primary content
17 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state
18 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's
19 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative
20 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to
21 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,
22 up to 50 percent may be used within the normal school day provided the services are in the form of
23 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the
24 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this
25 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant
26 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the
27 district application for funding.

1 (b) The following criteria shall apply to each of the components of the Extra Time for Students
2 Program.

3 (1) In order to qualify for an allocation, each district shall submit an application to the
4 Department of Education as part of the districts' consolidated application. The
5 application must show evidence of building level staff involvement in the development of
6 the district proposal.

7 (2) The application provided to the Department of Education shall indicate the student
8 populations to be served, the type of program(s) proposed, the levels of academic
9 improvement the additional services are intended to achieve, and the measurement and/or
10 evaluation process the district will use to determine program effectiveness. Associated
11 transportation costs shall also be included in the district application.

12 (3) Funding for this component shall only be used for academic instruction or remediation
13 programs that are offered to a targeted population of low achieving students. Should
14 funds be used during the regularly scheduled six and one half hour school day, said funds
15 must be used to hire additional instructional staff to provide additional instruction or
16 remediation to the targeted population in one of the four core curriculum areas. Prior to
17 the expenditure of funds during the regular school day, districts must obtain the approval
18 of the Secretary of Education, Budget Director and Controller General and must certify to
19 the Secretary of Education, Budget Director and Controller General that sufficient
20 resources remain to operate the mandated summer school program. The Department of
21 Education shall promote the use of "Best Practices" in this area through all available
22 means.

23 (4) Funds appropriated pursuant to this section may not be used for curriculum development
24 or staff training functions, but may be used for the purchase of supplies and materials
25 necessary to operate extra time programs. To the extent that these funds are used to pay
26 salary expenses of district instructional staff, these funds may only be used for costs
27 associated with the state share of salaries, as provided under 14 Del. C. § 1305.

1 (5) In order to maximize resources provided under this program, local school districts are
2 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the
3 provisions of 14 Del C. § 1902(b).

4 (6) Local school districts may use funds appropriated pursuant to this section to contract with
5 private or non-profit instruction or tutoring services provided that there is evidence of
6 building level conversations regarding contracted services.

7 (7) If, after the applications are received by the Department of Education, a local district does
8 not choose to utilize the full amount to which they are entitled, the Department of
9 Education may allocate any remaining amount through a competitive RFP process.

10 (c) The following criteria shall apply to the component of the program that serves students in any
11 grade levels:

12 (1) Allocations for this component shall be provided in proportion to the total Division I
13 units in each school district, multiplied by the state portion of the average teacher salary
14 in the district in the immediately preceding fiscal year.

15 (d) The following criteria shall apply to the Early Intervention Reading Program for which
16 \$400.0 is to be utilized.

17 (1) This funding shall serve students in kindergarten through third grade who are identified
18 during their kindergarten and first grade years as being inadequately prepared to succeed
19 in reading or are performing below grade level.

20 (2) This funding shall be utilized exclusively to provide supplemental services or teaching
21 methods designed to improve the reading abilities of students with the goal being that
22 they achieve and maintain their appropriate grade level reading ability. These services
23 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.
24 The school districts are strongly encouraged to use programs including, but not limited
25 to, Reading Assist and other research based multi-sensory programs.

26 (3) The funding for this component may provide services outside of the normal school
27 operation timeframe as specified in subsections (c) and (d) of this section or may be used

1 during the regular school day, provided however that the services being offered are
2 supplemental to the reading instruction the student would otherwise normally receive.

3 (e) The Department of Education shall determine common data definitions and data collection
4 methodologies for each program in this section. Districts shall use such definitions and methodologies
5 and shall provide information as requested by the Department of Education. This information shall
6 include but not be limited to the following: state identification number for each student served, total
7 number of program contact hours per student, content area(s) addressed, and evidence of academic
8 improvement. The Department of Education shall prepare a statewide management report to identify
9 needs for program improvement and best practice.

10 Section 292. Section 1 of this Act appropriates 31.7 FTEs, of which up to 4.0 shall be authorized
11 as teachers/supervisors, 23.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
12 Education, and 1.0 education associate to operate 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 divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the
19 ten month amount shall be multiplied by 1.1 or 1.2 respectively. Employees whose primary job location
20 is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit
21 System. Teachers/supervisors shall receive an administrative supplement of four 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 Students served under this program shall not be included in the calculation for unit count
25 purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may transfer funds
26 between lines and departments to pay for this program.

27 Section 293. Any provisions of the Delaware Code to the contrary notwithstanding, the
28 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 Capital School District, three in Cape
2 Henlopen School District and one in Milford School District.

3 Section 294. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
4 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep
5 Consortium is formed to provide for overall program development and management, coordination and
6 technical assistance. The Consortium will review and provide technical assistance and in-service training
7 for each proposal submitted to the Department of Education by any partnership initiating or operating a
8 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations
9 and federal legislation.

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

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

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

25 Section 295. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and
26 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.
27 Such funds shall be utilized to develop innovative after school programs to provide additional academic
28 support and enrichment for students. Funding shall provide approximately six to ten pilot programs

1 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private
2 businesses. The Department of Education shall administer a competitive grant process focused on the
3 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware
4 content standards; enrichment programs incorporating both traditional and non-traditional approaches;
5 and outreach to parents, especially those who are reluctant to interact with schools.

6 Section 296. Section 1 of this Act makes an appropriation to the State Board of Education, Block
7 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,
8 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

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

11 If funds provided under this section are used for costs associated with teachers and aides, funds
12 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

13 Section 297. Section 1 of this Act appropriates \$6,874.3 to Public Education, Block Grants and
14 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall
15 provide one Reading Resource Teacher in each school with a grade configuration including any
16 combination of grades Kindergarten through Fifth. Reading Resource Teachers shall provide direct
17 reading instruction to students which must include explicit and systematic instruction in phonemic
18 awareness, phonics, vocabulary development, reading fluency and reading comprehension strategies.
19 Reading Resource Teachers shall work with the Reading Cadre to ensure that appropriate reading
20 activities and support are embedded in all curricular areas. Reading Resource Teachers shall have a
21 documented background in reading and/or be a teacher with documented classroom success in teaching
22 reading.

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

1 Section 298. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,
2 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
3 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
4 adopted by the Joint Finance Committee on April 16, 1981.

5 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2005,
6 shall be allocated and shall not exceed \$58,496.2 (of which \$4,214.3 is designated as a transportation
7 contingency for the Charter and Choice initiatives), according to bus contract or district transportation
8 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
9 amendments and procedural modifications:

10 (1) The per gallon price used to calculate the fuel allowance shall be based on the state
11 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.28 per gallon for
12 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,
13 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more
14 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,
15 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).
16 Upon determination by the Department of Education that a contractor located North of
17 the Chesapeake and Delaware Canal and operating five or fewer buses does not have
18 existing storage capacity in the large tank range, the per gallon price shall be based on the
19 smaller tank size.

20 The initial fuel rates shall be based on the state contract bid price as of June 1 of the
21 preceding fiscal year. Funding adjustment will be made when the annual average price
22 increases or decreases by at least five cents per gallon. The first review will be based on
23 the annual averages through December 31 of each year. Additional reviews will be
24 conducted each month thereafter until April 30.

25 (2) The Fiscal Year 2005 operating allowance will be adjusted for inflation by a rate of 1.0
26 percent.

27 (3) For the fiscal year ending June 30, 2005, the allowable cost of a new unused bus that was
28 purchased by a contractor and put on contract and that was produced between January 1,

1 2004 and December 31, 2004 (as noted on the school bus identification plate) shall begin
2 its seven-year capital allowance schedule using the 2004 state bid price for new school
3 buses, minus two percent for salvage value, plus eleven percent to account for dealer
4 charges and profits not reflected in the state bid price due to the higher number of buses
5 being purchased and the lag time between ordering and delivery. Any bus produced and
6 placed in service after January 1, 2005 of the current fiscal year shall be entitled to an
7 allowance based on the 2005 state bid price.

8 A used bus placed in service shall utilize the allowance schedule which would have been
9 allowed had the bus been placed in service when new based on its production date. The
10 bus shall receive the remaining years of capital allowance. The Department of Education
11 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the
12 allowable cost for any size bus that it did not bid in Fiscal Year 2004. In addition to the
13 procedure for establishing the allowable cost of a new bus specified above, the
14 Department of Education is requested to structure its bids for buses in the fiscal year
15 ending June 30, 2005, in such a manner that public school bus contractors will be
16 permitted to purchase buses from the successful lower bidder at the same price as the
17 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
18 base bid of an awarded contract minus two percent for salvage value will be the
19 allowable cost in subsequent reimbursements to the contractor.

20 (4) In Fiscal Year 2005, the school bus contractor insurance allowance shall be increased
21 by ten percent north of the canal and five percent south of the canal.

22 (c) The Department of Education shall amend its transportation formula to permit replacement of
23 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle
24 which has operated 150,000 school-related miles regardless of the age of the vehicle.

25 (d) The Department of Education is authorized to amend its formula to allow the purchase of
26 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer
27 available.

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

5 (f) The Department of Education is authorized to amend its formula such that automatic
6 transmission shall be considered standard equipment on contractor and school district bus purchases.

7 (g) The Department of Education is authorized to amend its transportation formula to change the
8 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-
9 gallon.

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

15 Section 299. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the
16 Department of Education, modifications requested by charter schools associated with the provision of
17 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be
18 considered a minor modification.

19 Section 300. Notwithstanding any other provisions of the Delaware Code or this Act to the
20 contrary, the Department of Education is authorized to approve and provide funding for additional
21 transportation routes necessary to support the Seaford School District's pilot implementation of a
22 balanced calendar schedule, beginning in Fiscal Year 2003.

23 Section 301. (a) During the fiscal year, the Department of Education is hereby directed to
24 provide bus transportation of public school students previously declared ineligible by the Unique Hazards
25 Committee, including the following:

- 26 (1) Students attending the Stanton Middle School who are now forced to walk along
27 Telegraph Road with a constant threat of injury.

- (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh Road with a constant threat of injury.
- (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River, who attend the Seaford schools, grades K-6.
- (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street to duPont Street on the east-west grid.
- (6) Students attending Newark High School who live in Windy Hills and are forced to walk along Kirkwood Highway with a constant threat of injury.
- (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- (8) Students attending Delcastle Technical High School who live in Newport and are forced to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- (9) Students attending Woodbridge Junior-Senior High School who must travel along Route 13A south of Bridgeville, and students living west of Bridgeville who must travel along Route 404 or Route 18.
- (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area between Sunnyside Road and U.S. 13 and who would otherwise be required to walk along U.S. 13 in order to reach school.
- (11) Students attending the Concord High School who live south of Naamans Road in the Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk along Grubb and/or Naamans Road with a constant threat of injury.
- (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of Laurel and the surrounding areas.
- (13) Students attending Dover High School who live in Old Sherwood, south of Waples Avenue.

- (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk along Bellevue Road.
- (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross over and/or walk along River Road between Lore and Bellevue.
- (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.
- (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of hazards of Route 4 at Pierson Drive intersection.
- (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary School.
- (19) Woodbridge Elementary School students living in the town of Greenwood, west of the railroad tracks.
- (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of Bridgeville to Bridgeville north of town limits including streets with access to that part of Route 13A.
- (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney Brook areas, students who reside in the Woodacre Apartments and students who live along Peachtree Road.
- (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and Eden Ridge who must cross Concord Pike.
- (23) Sussex Central High School and Georgetown Elementary School students who live east of Bedford Street.
- (24) Lombardy Elementary School students who must cross Foulk Road.
- (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- (26) Students attending the Colwyck Elementary School who live in the Landers Park and Swanwyck Gardens residential areas.

- (27) Students attending Central Middle School, living in the area south of Kent General Hospital, to include students living along and south of Westview Terrace, Dover Street, Hope Street and Sackarackin Avenue.
- (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- (29) Students attending Brandywine High School who live in Concord Manor and are forced to walk along Shellpot Drive and Windley Hill.
- (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School in the Smyrna School District who live on Buresch Drive.
- (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between Naamans Road and Marsh Road, any child currently receiving bus transportation by the Brandywine School district who lives along Grubb Road (between Naamans Road and Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between Naamans Road and Marsh Road) shall continue to receive bus transportation to and from school.
- (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend Darley Road Elementary School.
- (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and Westfield who must cross Limestone Road.
- (34) Students attending Warner Elementary or Warner Kindergarten who also attend the Brandywine Day Care or the Strawberry Patch Neighborhood Centers.
- (35) Students attending Brandywine Springs Elementary School who live along Newport Gap Pike.
- (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and in the vicinity of Edgemoor Road in Edgemoor Terrace.
- (37) Students attending the Woodbridge School District, who live in the Canterbury Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment complex in lieu of the bus stop area along the heavily traveled U.S. 13.

1 The transportation of the students specified herein shall continue until the funds requested are
2 appropriated and construction is completed. Spur routes shall continue to be served as at present.

3 Section 302. Notwithstanding the provisions of any state law to the contrary, the Red Clay
4 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
5 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School
6 and the Indian River School District is authorized to utilize state transportation dollars to fund students
7 traveling from routes to and from the Southern Delaware School of the Arts.

8 Section 303. During the fiscal year, the Department of Education will continue and broaden
9 implementation of the computerized routing system for school bus transportation. During this
10 implementation, the Department is directed to continue to provide bus transportation services to any
11 residential area which has received transportation services since October 1, 1977.

12 Section 304. The National Highway Traffic Safety Administration (NHTSA) is conducting a
13 research program to consider alternative methods of potentially improving federal school bus passenger
14 crash protection requirements. Based upon NHTSA's report, the Department of Education will
15 recommend changes to the Delaware school bus specifications so that all school buses will continue to be
16 in compliance with federal safety standards.

17 Section 305. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)
18 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following
19 reimbursement methodology is in effect:

20 (a) For those school districts or private contractors who are operating school buses equipped with
21 cellular phone technology or have no radio or telephonic communication equipment, the Department of
22 Education is authorized to bring said districts and contractors under a State negotiated cellular phone
23 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,
24 subject to the availability of funds.

25 (b) For those school districts or private contractors who are operating school buses equipped with
26 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the
27 installation cost of the radio equipment on a one-time basis.

1 Section 306. During the fiscal year, the Department of Education shall develop a plan for a pilot
2 regional transportation system which may be implemented in Fiscal Year 2006 that allows charter schools
3 and local districts to consolidate routes, operate systems outside of their local boundaries and transport
4 non-district students in an effort to generate system efficiencies and potential cost savings. The plan shall
5 be submitted to the Budget Director and Controller General by March 31, 2005, for approval before
6 implementation in Fiscal Year 2006.

7 Section 307. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -
8 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall
9 administer a non-competitive application process to determine grant awards to local school districts and
10 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting
11 the maintenance of existing equipment in the schools either through the use of a full time technology
12 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as
13 may arise which could improve or enhance the technology capabilities of the district. If funds provided
14 under this section are used for costs associated with positions, funds may only be used for costs
15 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding
16 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance
17 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the
18 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71
19 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse
20 these funds. The department shall also be charged with the authority to verify the use of the funds and
21 shall require each school district to annually report on expenditures of the funds.

22 Section 308. Section 1 of this Act provides an appropriation to the Delaware Center for
23 Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for
24 and engage in activities related to total project needs and budgets for statewide education technology
25 projects, the establishment of cost-sharing policies, the initiation and delivery of instructional technology
26 programs, implementation on an on-going basis of professional training programs related to statewide
27 education technology and providing technical assistance to the Department of Education for the initiation
28 of system-wide applications including administrative and curriculum development.

1 The Department of Technology and Information shall support and enhance statewide education
2 technology issues and network. In addition, DTI will collaborate with the Department of Education to
3 provide professional training programs related to using technology in schools which promote and support
4 Delaware's education standards initiative.

5 Section 309. The provisions of this Act to the contrary notwithstanding, consistent with the
6 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional
7 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra
8 Time for Students and Minor Capital Improvements program will not be required to submit an application
9 to the Department of Education. Any funds received as a result of the allocation of these programs may
10 be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

11 Section 310. Section 1 of this Act makes an appropriation to the Delaware Higher Education
12 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the
13 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$225.0 shall be
14 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;
15 \$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$40.0 for the
16 Legislative Essay Scholarship; \$64.2 for the Charles L. Hebner Scholarship; \$50.0 for Critical Teacher
17 Scholarships; and \$50.0 for Delaware Teacher Corps. Any Herman M. Holloway Sr. Scholarship
18 Program funds remaining after payment of the Holloway Scholarships, may be awarded to Delaware
19 State University students with financial need who applied to the Scholarship Incentive Program.

20 Section 311. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
21 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any
22 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the
23 subsequent year with approval of the Department of Education. In the event that actual awards exceed
24 projected award amounts, spring awards may be reduced to cover the difference.

25 Section 312. Notwithstanding any other provision to the contrary, for the fiscal year the
26 following position numbers and corresponding salaries shall be in effect:

27	#00052383	Accountant II	\$28,978
28	#00056437	Higher Education Analyst	\$40,988

1	#00069720	Higher Education Analyst	\$44,297
2	#00081644	Data Analyst	\$45,911
3	#00052384	Administrative Management	\$56,354
4	#00052382	Administrative Assistant I	\$28,247
5	#00052395	Appointed Official	Salary set pursuant to Section
6			10 of this Act

7 Upon vacancy of any of the positions listed above, the Department of Education shall review said
8 vacant position with respect to current responsibilities and salary classification and shall submit any
9 recommended changes to the Budget Director and Controller General for approval.

10 Section 313. Section 1 of this Act makes an appropriation of \$100.0 to the Delaware Higher
11 Education Commission (95-08-01) for the National Board Certification Loan Program. DHEC shall
12 administer a non-competitive loan program for educators pursuing certification from National Board for
13 Professional Teaching Standards. Loans shall be made to cover costs associated with the application fee
14 and assessment process. If there are more individuals requesting funds than funds appropriated, DHEC
15 shall prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years
16 of achieving National Board Certification or within three years from the start of the program whether the
17 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the
18 borrower must repay all funds received with interest as determined by the Delaware Higher Education
19 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is
20 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

21 Section 314. The Delaware Higher Education Commission is hereby authorized to use up to
22 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the
23 recognition of students who are awarded scholarships associated with that appropriation.

24 Section 315. During the fiscal year, the Department of Education, with the approval of the State
25 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
26 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with
27 disabilities and their parents where required by federal or state law, and/or departmental regulation. For
28 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the

Department of Education is authorized to engage the professional services of a cadre of single hearing officers to preside over such hearings.

Section 316. The Brandywine School District Board shall maintain as a stand alone program its Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine Academically Gifted Program) at least through the end of the 2005 - 2006 school year. The program shall be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently configured. During this time, the District shall fully support the Odyssey Program in terms of outreach, recruitment, assessment of students for entry into the program, curriculum development, teacher assignment and other support elements as currently exist.

The Board shall make no decision on the future of the Gifted and Talented Program as it relates to its configuration as a stand alone program at its current locations prior to July 1, 2005.

Section 317. The Department of Education shall continue to work towards the collection of school-level financial data. To this end, when processing transactions in the Delaware Financial Management System (DFMS), local school districts shall use a standard set of program codes as established by the Department of Education effective July 1, 2003.

Section 318. In accordance with the statewide healthcare reconciliation, beginning this fiscal year Capital School District will pay one-fifth of the total amount owed each fiscal year, ending in Fiscal Year 2008.

Section 319. 72 Del. Laws, c. 258 appropriated \$4,000.0 to the Appoquinimink School District to implement a \$4,500.0 Critical Classroom Acquisition Program (CCAP). The total local share of this project shall be \$1,300.0. In Fiscal Year 2000, the district utilized \$500.0 of its Division III Equalization funds. The remaining \$800.0 shall be repaid by the State withholding Division III Equalization funds in accordance with the following schedule:

Fiscal Year 2001	\$160.0
Fiscal Year 2002	\$160.0
Fiscal Year 2003	\$160.0
Fiscal Year 2005	\$160.0
Fiscal Year 2006	\$160.0

1 Section 320. The Department of Education is authorized to work with the public school districts
2 to develop options for a flexible funding pilot program for school districts. Upon approval of the Budget
3 Director, Controller General and Joint Finance Committee Co-Chairs, up to two school districts may pilot
4 in Fiscal Year 2006.

SYNOPSIS

This Bill is the Fiscal Year 2005 Appropriation Act.

Author: Office of the Budget