



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

HOUSE OF REPRESENTATIVES

142ND GENERAL ASSEMBLY

HOUSE BILL NO. 5

JANUARY 30, 2003

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1 Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to
2 the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2004, 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 the
5 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 last
7 day of June 2004, 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:

INDEX - Section 1

	<u>PAGE</u>
LEGISLATIVE	2
JUDICIAL	4
EXECUTIVE.....	8
TECHNOLOGY AND INFORMATION	12
OTHER ELECTIVE OFFICES	14
LEGAL	16
STATE.....	17
FINANCE.....	20
ADMINISTRATIVE SERVICES	22
HEALTH AND SOCIAL SERVICES.....	24
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES	30
CORRECTION	32
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL	34
SAFETY AND HOMELAND SECURITY	38
TRANSPORTATION.....	41
LABOR.....	45
AGRICULTURE.....	47
ELECTIONS	48
FIRE PREVENTION COMMISSION.....	49
DELAWARE NATIONAL GUARD	50
ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS	51
HIGHER EDUCATION	52
UNIVERSITY OF DELAWARE.....	52
DELAWARE GEOLOGICAL SURVEY	52
DELAWARE STATE UNIVERSITY	52
DELAWARE TECHNICAL AND COMMUNITY COLLEGE	53
DELAWARE INSTITUTE OF VETERINARY MEDICAL EDUCATION.....	54
EDUCATION.....	55

INDEX - Epilogue

	<u>PAGE</u>
GENERAL.....(Sections 2 - 28).....	61
LEGISLATIVE.....(Sections 29 - 33).....	101
JUDICIAL.....(Sections 34 - 37).....	102
EXECUTIVE.....(Sections 38 - 63).....	104
TECHNOLOGY AND INFORMATION.....(Sections 64 - 68).....	115
OTHER ELECTIVE OFFICES.....(Sections 69 - 79).....	118
LEGAL.....(Sections 80 - 82).....	121
STATE.....(Sections 83 - 92).....	125
FINANCE.....(Sections 93 - 99).....	127
ADMINISTRATIVE SERVICES.....(Sections 100 - 108).....	130
HEALTH AND SOCIAL SERVICES.....(Sections 109 - 149).....	132
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.....(Sections 150 - 161).....	144
CORRECTION.....(Sections 162 - 177).....	148
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.....(Sections 178 - 200).....	153
SAFETY AND HOMELAND SECURITY.....(Sections 201 - 207).....	159
TRANSPORTATION.....(Sections 207 - 224).....	161
LABOR.....(Section 225 – 226).....	167
AGRICULTURE.....(Sections 227).....	168
ELECTIONS.....(Sections 228 - 233).....	169
FIRE PREVENTION COMMISSION.....(Sections 234 - 235).....	171
DELAWARE NATIONAL GUARD.....(Sections 236 - 237).....	172
HIGHER EDUCATION.....(Sections 238 - 245).....	173
EDUCATION.....(Sections 246 - 318).....	178

DEPARTMENTS

Year ending June 30, 2004

(01-00-00) LEGISLATIVE

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Personnel		
NSF	ASF	GF
		28.0
		28.0

(01-01-01) General Assembly - House

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs				3,786.1
Travel				
Mileage - Legislators				58.2
Other - Travel				37.6
Contractual Services				400.0
Supplies and Materials				40.0
Capital Outlay				30.0
Other Items:				
Expenses - House Members				323.6
House Committee Expenses				30.0
TOTAL -- General Assembly - House				4,705.5

		17.0
		17.0

(01-02-01) General Assembly - Senate

Personnel Costs				2,280.5
Travel				
Mileage - Legislative				52.3
Other - Travel				10.2
Contractual Services				192.0
Supplies and Materials				35.0
Capital Outlay				45.0
Other Items:				
Advertising - Senate Substance Abuse Committee				35.0
Expenses - Senate Members				175.1
Senate Committee Expenses				75.0
TOTAL -- General Assembly - Senate				2,900.1

(01-05-01) Commission on Interstate Cooperation

Travel				18.0
Legislative Travel				100.0
Contractual Services				40.0
Supplies and Materials				0.5
Other Items:				
Council of State Governments				92.2
Delaware River Basin Commission				392.0
Southern Governors Conference				4.7
National Conference of State Legislatures				80.4
Eastern Trade Council				3.0
Legislation for Gaming States				3.0
Interstate Agriculture Commission				25.0
TOTAL -- Commission on Interstate Cooperation				758.8

(01-00-00) LEGISLATIVE

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(01-08-00) Legislative Council

(01-08-01) Research

		19.0
		19.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Sunset Committee Expenses
Technical Advisory Office
Printing - Laws and Journals
TOTAL -- Division of Research

	1,131.6
	18.3
	159.1
	119.7
	36.0
	4.5
	50.0
	38.5
	1,557.7

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

		15.0
		15.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Family Law Commission Expenses
Contingencies:
Juvenile Detention Oversight Committee
JFC/CIP
U. of D. Senior Center Formula Update
Internship
Tricentennial Commission
Legislative Council
Legal - Neighborhood Schools
Clean Air Policy Committee
TOTAL -- Office of the Controller General

	1,190.8
	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
	1,871.4

(01-08-03) Code Revisors

Travel
Contractual Services
Supplies and Materials
TOTAL -- Code Revisors

	1.1
	220.8
	0.5
	222.4

(01-08-06) Commission on Uniform State Laws

Travel
Contractual Services
Supplies and Materials
TOTAL -- Commission on Uniform State Laws

	17.0
	18.1
	0.2
	35.3

		34.0
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TOTAL -- Legislative Council

	3,686.8
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		79.0
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TOTAL -- LEGISLATIVE

	12,051.2
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(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

11.3		28.0
11.3		28.0

(02-01-00) Supreme Court
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Other Items:
 Court on the Judiciary
TOTAL -- Supreme Court

9.5	2,327.4
6.8	13.4
121.4	83.1
5.0	38.1
6.7	
	1.0
149.4	2,463.0

		28.0
11.3		
11.3		28.0

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

149.4	2,463.0
149.4	2,463.0

	21.0	26.0
	21.0	26.0

(02-02-00) Court of Chancery
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
TOTAL -- Court of Chancery

382.1	2,106.6
12.0	13.0
798.1	55.7
39.6	26.0
35.0	
1,266.8	2,201.3

	21.0	26.0
	21.0	26.0

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

1,266.8	2,201.3
1,266.8	2,201.3

2.0		281.0
2.0		281.0

(02-03-00) Superior Court
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
TOTAL -- Superior Court

	15,288.0
	53.2
	962.5
	229.7
	56.0
	16,589.4

2.0		281.0
2.0		281.0

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

	16,589.4
	16,589.4

	3.0	124.0
	3.0	124.0

(02-06-00) Court of Common Pleas
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
TOTAL -- Court of Common Pleas

132.4	6,583.5
	11.0
	182.1
	74.2
4.0	7.1
136.4	6,857.9

	3.0	124.0
	3.0	124.0

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

136.4	6,857.9
136.4	6,857.9

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(02-08-00) Family Court			
3.0	63.0	265.0			2,863.6	13,869.9
					12.3	30.0
					217.5	457.9
					62.2	126.3
					48.0	
3.0	63.0	265.0	TOTAL -- Family Court		3,203.6	14,484.1
3.0	63.0	265.0	(-10) Family Court		3,203.6	14,484.1
3.0	63.0	265.0	TOTAL -- Internal Program Unit		3,203.6	14,484.1
			(02-13-00) Justices of the Peace Courts			
		245.0				11,690.9
						9.4
						1,240.3
						93.2
						131.2
						12.5
						362.5
		245.0	TOTAL -- Justices of the Peace Courts			13,540.0
		245.0	(-10) Justices of the Peace Courts			13,540.0
		245.0	TOTAL -- Internal Program Unit			13,540.0

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF
4.0		74.5
	1.0	
4.0	1.0	74.5

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

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

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	4,237.4
	32.5
	1,445.1
	19.6
	391.6
	220.9
	32.5
	13.3
424.8	
	1,587.8
	140.0
	275.1
	50.0
	193.9
	105.3
93.6	339.1
518.4	9,084.1

4.0	1.0	29.0
		8.0
		33.0
		4.5
4.0	1.0	74.5

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

518.4	5,312.1
	445.2
	2,822.4
	504.4
518.4	9,084.1

(02-00-00) JUDICIAL

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(02-18-00) Administrative Office of the Courts - Non-Judicial Services			
	8.0	21.0			439.7	1,167.0
					29.0	25.4
					82.7	130.3
					9.0	22.8
					6.0	1.6
						3.0
					2,500.0	
						50.0
					1.5	
	8.0	21.0	TOTAL -- Administrative Office of the Courts - Non-Judicial Services		3,067.9	1,400.1
		7.5				
	8.0			3,067.9		418.8
		7.5				455.9
		1.0				72.3
		5.0				453.1
	8.0	21.0	TOTAL -- Internal Program Units		3,067.9	1,400.1
20.3	96.0	1,064.5	TOTAL -- JUDICIAL		8,342.5	66,619.9

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

(10-01-01) Office of the Governor

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

TOTAL -- Office of the Governor

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		38.0	1,817.1
		0.5	14.5
		140.9	162.6
		0.2	22.7
			43.0
			8.7
		179.6	2,068.6

(10-02-00) Office of the Budget

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

TOTAL -- Office of the Budget

3.8	13.0	34.0
3.8	13.0	34.0

539.2	2,825.6
9.1	22.2
227.0	2,359.5
13.8	28.8
	4.0
	1,900.0
60.6	
	38.0
500.0	
16,147.2	
	17.0
	3,115.8
	450.0
	3,000.0
	2,400.0
	100.0
	100.0
1,500.0	12,640.7
	400.0
	8.0
	100.0
	21.0
	10,250.0
	17,500.0
23,000.0	
	(6,000.0)
	50.0
	1,276.2
41,996.9	52,606.8

	9.0	28.0
	4.0	
3.8		6.0
3.8	13.0	34.0

(-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

1,228.9	6,053.0
16,207.4	1,978.6
24,500.0	43,985.5
	50.0
60.6	539.7
41,996.9	52,606.8

(10-00-00) EXECUTIVE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-03-00) Delaware Economic Development Office			
			(10-03-01) Office of the Director			
		27.0				
						1,630.3
						23.6
						211.6
					150.0	
						16.0
						10.0
					1,200.0	
						5.0
						5.0
						50.0
					850.0	
						15.4
		27.0			2,200.0	1,966.9
			(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	
					45.0	
	10.0				2,014.1	
			(10-03-03) Delaware Economic Development Authority			
	4.0	15.0			239.1	1,131.7
					20.0	39.4
					634.0	
					10.0	14.9
					1.5	
					30.0	10.0
					125.0	
					350.0	
					300.0	
						200.0
						75.0
						65.0
						1,956.0
	4.0	15.0			1,709.6	3,492.0
	14.0	42.0			5,923.7	5,458.9

(10-00-00) EXECUTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(10-04-00) Office of State Personnel			
15.2	82.5	55.3	Personnel Costs		4,135.1	2,463.1
			Travel		42.1	19.4
			Contractual Services		3,942.2	530.0
			Supplies and Materials		103.5	24.2
			Capital Outlay		91.8	7.3
			Other Items:			
			First Quality Fund			150.0
			School to Work			20.0
			Flexible Benefits Administration		113.5	
			Generic Aides/Handicapped Employees			337.7
			Employee Recognition			13.6
			Blue Collar		140.0	
			Health Insurance-Retirees in Closed State			3,342.8
			Police Plan			
			Blood Bank Membership Dues			88.0
			Pensions - Paraplegic Veterans			39.0
			Pensions - IMS		500.0	
			Retiree Conference		5.0	
			Other Items		560.0	
			Debt Service			
15.2	82.5	55.3	TOTAL -- Office of State Personnel		9,633.2	7,035.1
15.2	23.5	51.3	(-02) Operations		1,599.6	3,129.7
	4.0	4.0	(-04) Staff Development and Training		575.8	523.6
	55.0		(-06) Pensions		7,457.8	3,381.8
15.2	82.5	55.3	TOTAL -- Internal Program Units		9,633.2	7,035.1
			(10-05-00) Delaware Health Care Commission			
		3.0	Personnel Costs			227.4
			Travel			20.1
			Contractual Services			79.5
			Supplies and Materials			6.5
			Capital Outlay			3.5
			Tobacco Fund:			
	1.0		Personnel Costs		57.1	
			Pilot Projects		1,000.0	
			Other Items:			
			Educational Programs			5.0
			Program Evaluation			15.1
			DIMER Operations			2,047.5
			DIDER Operations			248.0
	1.0	3.0	TOTAL -- Delaware Health Care Commission		1,057.1	2,652.6
	1.0	3.0	(-01) Delaware Health Care Commission		1,057.1	357.1
			(-02) Delaware Institute of Medical Education and Research			2,047.5
			(-03) Delaware Institute of Dental Education and Research			248.0
	1.0	3.0	TOTAL -- Internal Program Units		1,057.1	2,652.6

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(10-07-00) Criminal Justice

(10-07-01) Criminal Justice Council

14.2		12.8
14.2		12.8

Personnel Costs			740.8
Travel			1.3
Contractual Services			25.6
Supplies and Materials			3.8
Capital Outlay			
Other Items:			
SENTAC			8.9
Video Phone Fund		155.4	
Domestic Violence Coordinating Council			23.1
Other Grants			117.2
TOTAL -- Criminal Justice Council		155.4	920.7

(10-07-02) Delaware Justice Information System

		10.0
		10.0

Personnel Costs			640.6
Travel			3.8
Contractual Services			327.5
Supplies and Materials			14.9
TOTAL -- Delaware Justice Information System			986.8

14.2		22.8
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TOTAL -- Criminal Justice

155.4	1,907.5
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(10-08-00) Delaware State Housing Authority
(10-08-01) Delaware State Housing Authority

6.0	50.0	
6.0	50.0	

Personnel Costs	2,670.8	
Travel	106.5	
Contractual Services	911.2	
Energy	61.2	
Supplies and Materials	110.8	
Capital Outlay	20.0	
Other Items:		
Huling Cove	100.0	
Huling Cove Annex	155.0	
Capital Green	755.0	
Housing Development Fund	28,800.0	3,304.0
Public Housing	500.0	
Home Improvement Insurance	1,665.0	
Debt Service		338.9
TOTAL -- Delaware State Housing Authority	35,855.5	3,642.9

39.2	161.5	181.1
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TOTAL -- EXECUTIVE

94,801.4	75,372.4
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(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(11-01-00) Office of the Chief Information Officer	
		4.0				463.1
						3.9
						250.0
						1.0
						20.0
		4.0				738.0
					TOTAL -- Office of the Chief Information Officer	
		4.0		738.0		
		4.0		738.0		
					(11-02-00) Technology Office	
	8.0	100.0			400.0	7,187.6
					75.0	26.0
					5,575.0	600.0
					15.0	9.0
					40.0	
					2,240.0	524.0
	8.0	100.0			8,345.0	8,346.6
					TOTAL -- Technology Office	
		1.0		157.8		
	3.0	54.0	2,620.0	4,130.0		
	2.0	25.0	1,010.0	1,809.2		
	3.0	20.0	4,715.0	2,249.6		
	8.0	100.0	8,345.0	8,346.6		
					(11-03-00) Operations Office	
	7.0	96.0			390.6	6,524.5
					39.7	36.6
					11,590.0	1,661.7
						268.2
					87.0	352.5
					98.6	9.3
						103.8
					1,711.5	11,258.8
	7.0	96.0			13,917.4	20,215.4
					TOTAL -- Operations Office	
		1.0	10,021.0	132.5		
	4.0	27.0	857.4	3,040.8		
		13.0		1,201.2		
	3.0	55.0	3,039.0	15,840.9		
	7.0	96.0	13,917.4	20,215.4		
					TOTAL -- Internal Program Unit	

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-04-00) Project Management Office -				
			Major Projects				
		3.0	Personnel Costs				335.7
			Travel				7.4
			Contractual Services				75.0
			Supplies and Materials				1.8
			Capital Outlay				1.0
			Rental				35.0
		3.0	TOTAL -- Project Management Office -				455.9
			Major Projects				
		1.0	(-01) Director of Major Projects		252.7		
		1.0	(-02) Senior Project Management Team		101.6		
		1.0	(-03) Change Management Team		101.6		
		3.0	TOTAL -- Internal Program Unit		455.9		
	15.0	203.0	TOTAL -- DEPARTMENT OF TECHNOLOGY			22,262.4	29,755.9
			AND INFORMATION				

(12-00-00) OTHER ELECTIVE

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(12-01-01) Lieutenant Governor

		6.0
		6.0

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

	385.5
	6.3
	22.8
	2.8
	7.7
	425.1

(12-02-01) Auditor of Accounts

	6.0	39.0
	6.0	39.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
TOTAL -- Auditor of Accounts

362.7	2,232.2
5.0	20.4
309.9	371.2
8.4	12.9
5.4	29.9
691.4	2,666.6

(12-03-00) Insurance Commissioner

(12-03-01) Regulatory Activities

	25.0	
	25.0	

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Malpractice Review
TOTAL -- Regulatory Activities

1,684.8	
29.4	
259.8	
6.8	
22.4	
10.5	
2,013.7	

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

2.0	52.0	
2.0	52.0	

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

2,417.9	
82.3	
900.8	
42.7	
398.4	
31.1	
12,850.0	
16,723.2	

TOTAL -- Insurance Commissioner

2.0	77.0	
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18,736.9	
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(12-00-00) OTHER ELECTIVE

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Personnel		
NSF	ASF	GF
	8.0	14.0
	8.0	14.0

(12-05-00) State Treasurer
(12-05-01) Administration

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Other Items:
Banking Services
Data Processing
Electronic Data Interchange
TOTAL -- Administration

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		490.6	850.4
		20.2	6.6
		130.1	103.7
		9.4	9.9
		25.5	
		2,365.0	
		50.0	
		70.0	
		3,160.8	970.6

(12-05-03) Debt Management

Expense of Issuing Bonds
Debt Service - Old
Debt Service - New
Debt Service - Local Schools
Debt Service - Solid Waste Authority
Debt Service - Refunding
Financial Advisor
TOTAL -- Debt Management

	358.9
	5.5
	13,192.6
	17,949.4
	26.7
	15,291.0
	85.0
	46,909.1

	8.0	14.0
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TOTAL -- State Treasurer

3,160.8	47,879.7
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2.0	91.0	59.0
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TOTAL -- OTHER ELECTIVE

22,589.1	50,971.4
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(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
39.4	46.9	267.8
	2.0	
39.4	48.9	267.8

(15-01-01) Office of Attorney General

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		722.3	16,673.2
		0.1	13.7
		659.6	1,378.5
			36.3
		0.3	61.4
		75.1	17.0
		148.8	
			40.0
		452.8	
		30.6	
		618.8	
		15.0	
		1,646.2	
		1,061.7	
		5,431.3	18,220.1

(15-02-01) Public Defender

4.0	1.0	129.0
4.0	1.0	129.0

TOTAL -- Public Defender

49.2	9,385.7
	1.7
	567.2
	7.4
	57.3
	3.8
49.2	10,023.1

(15-03-01) Board of Parole

		7.0
		7.0

TOTAL -- Board of Parole

	353.8
	12.2
	22.7
	3.3
	392.0

43.4	49.9	403.8
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TOTAL -- LEGAL

5,480.5	28,635.2
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(20-00-00) DEPARTMENT OF STATE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(20-01-00) Office of the Secretary	
	8.0	30.0			492.2	1,418.1
					35.7	30.2
					795.0	213.9
						36.1
					105.1	97.0
					164.4	
						297.0
						72.0
	8.0	30.0	TOTAL -- Office of the Secretary		1,592.4	2,164.3
	8.0	5.0	1,481.4	495.2		
		5.0		394.0		
		10.0	90.0	697.7		
		7.0	21.0	391.5		
		3.0		185.9		
	8.0	30.0	1,592.4	2,164.3		
					(20-02-00) Office of Human Relations	
1.0		9.0				435.5
						5.2
						20.5
						1.5
					10.0	
1.0		9.0	TOTAL -- Office of Human Relations		10.0	462.7
1.0		9.0	10.0	462.7		
1.0		9.0	10.0	462.7		
					(20-03-00) Delaware Public Archives	
	7.0	34.0			349.7	1,511.6
					4.0	1.8
					21.6	164.2
					15.0	88.0
					7.5	30.1
						20.0
						25.0
						1,012.0
	7.0	34.0	TOTAL -- Delaware Public Archives		397.8	2,852.7
	7.0	34.0	397.8	2,852.7		
	7.0	34.0	397.8	2,852.7		

(20-00-00) DEPARTMENT OF STATE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(20-05-00) Corporations	
	93.0				4,738.1	
					20.0	
					1,276.2	
					66.6	
					360.0	
					165.0	
					2,500.0	
	93.0				9,125.9	
					TOTAL -- Corporations	
	93.0			9,125.9		
	93.0			9,125.9		
					(20-06-00) Historical and Cultural Affairs	
6.9	1.5	42.6			81.3	2,065.0
						5.2
						233.7
						211.5
						69.8
						14.5
						15.0
					20.4	30.0
						15.0
						37.0
					70.2	
					1.0	
					13.0	
					85.5	
					1.5	
					3.0	
					10.0	
					9.5	
					19.6	
						236.9
6.9	1.5	42.6			315.0	2,933.6
					TOTAL -- Historical and Cultural Affairs	
	1.0	6.0		173.3		551.6
6.4		5.6				296.7
0.5	0.5	31.0		141.7		2,085.3
6.9	1.5	42.6		315.0		2,933.6
					TOTAL -- Internal Program Units	

(20-00-00) DEPARTMENT OF STATE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(20-07-00) Arts	
3.0		6.0				350.1
						2.4
						70.0
						3.0
						1,191.6
						10.0
3.0		6.0				1,627.1
					TOTAL -- Arts	
3.0		6.0		1,627.1	(-01) Office of the Director	
3.0		6.0		1,627.1	TOTAL -- Internal Program Unit	
					(20-08-00) Libraries	
9.0		13.0				621.2
						4.0
						153.7
						8.7
						21.6
						7.0
						2,569.5
						387.4
						100.0
						15.0
						630.9
9.0		13.0				4,519.0
					TOTAL -- Libraries	
9.0		13.0		4,519.0	(-01) Libraries	
9.0		13.0		4,519.0	TOTAL -- Internal Program Unit	
					(20-15-00) State Banking Commission	
	36.0				2,286.8	
					59.0	
					362.0	
					25.0	
					67.5	
	36.0				2,800.3	
					TOTAL -- State Banking Commission	
	36.0		2,800.3		(-01) State Banking Commission	
	36.0		2,800.3		TOTAL -- Internal Program Unit	
19.9	145.5	134.6			14,241.4	14,559.4
					TOTAL -- DEPARTMENT OF STATE	

(25-00-00) DEPARTMENT OF FINANCE

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(25-01-00) Office of the Secretary

		19.0
		19.0

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

	1,484.6
	16.9
	184.0
	16.7
	1.5
1,845.0	
	1,018.5
1,845.0	2,722.2

TOTAL -- Office of the Secretary

		19.0
		19.0

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

1,845.0	2,722.2
1,845.0	2,722.2

(25-05-00) Accounting

		36.0
		36.0

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

	2,243.6
	26.6
	432.3
	42.7
	62.1
	5.0
	2,812.3

TOTAL -- Accounting

		36.0
		36.0

(-01) Accounting
TOTAL -- Internal Program Unit

	2,812.3
	2,812.3

(25-06-00) Revenue

		213.0
		213.0
	6.0	213.0
	6.0	213.0

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

	9,958.2
	27.4
	1,465.2
	4.7
	129.9
	80.5
195.0	
1,470.5	
1,665.5	11,665.9

TOTAL -- Revenue

	6.0	213.0
	6.0	213.0

(-01) Revenue
TOTAL -- Internal Program Unit

1,665.5	11,665.9
1,665.5	11,665.9

(25-00-00) DEPARTMENT OF FINANCE

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(25-07-00) State Lottery Office				
	30.0		Personnel Costs			1,680.5	
			Travel			50.0	
			Contractual Services			41,353.6	
			Supplies and Materials			47.9	
			Capital Outlay			217.0	
	30.0		TOTAL -- State Lottery Office			43,349.0	
	30.0		(-01) State Lottery Office	43,349.0			
	30.0		TOTAL -- Internal Program Unit	43,349.0			
	36.0	268.0	TOTAL -- DEPARTMENT OF FINANCE			46,859.5	17,200.4

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

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Personnel		
NSF	ASF	GF
5.0	3.0	31.0
5.0	3.0	31.0

(30-01-00) Administration

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

TOTAL -- Administration

\$ Program	
ASF	GF
238.9	1,526.4
238.9	2,247.7

\$ Line Item	
ASF	GF
196.6	1,932.1
2.6	21.4
12.5	192.9
6.0	31.8
21.2	3.8
	65.0
	0.7
238.9	2,247.7

	3.0	23.0
5.0		1.0
		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

238.9	1,526.4
	98.8
	164.4
	330.3
	127.8
238.9	2,247.7

(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	

3,630.9	
110.9	
2,487.6	
66.9	
215.4	
10.0	
54.5	
15.0	
6,591.2	

	23.0	
	31.0	
	4.0	
	58.0	

(-20) Professional Regulation
(-30) Public Service Commission
(-50) Public Advocate
TOTAL -- Internal Program Units

2,323.0	
3,689.1	
579.1	
6,591.2	

(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES

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Personnel		
NSF	ASF	GF
2.0	59.0	33.5
2.0	59.0	33.5

(30-04-00) Support Services

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

2,472.5	1,489.7
14.1	1.7
4,406.0	295.0
4.7	22.3
1,713.0	28.8
4,509.3	2.6
613.8	
13,733.4	1,840.1

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

(-10) Mail/Courier Services
(-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	417.4
2,231.5	
8,280.3	
72.7	374.3
100.0	825.9
294.4	
805.2	222.5
13,733.4	1,840.1

(30-05-00) Facilities Management

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

TOTAL -- Facilities Management

2.6	3.0	92.4
2.6	3.0	92.4

130.4	4,191.8
24.9	
184.8	7,775.9
	5,087.2
221.1	1,641.8
121.4	
	18,507.5
682.6	37,204.2

2.6	3.0	92.4
2.6	3.0	92.4

(-10) Facilities Management

TOTAL -- Internal Program Unit

682.6	37,204.2
682.6	37,204.2

TOTAL DEPARTMENT OF ADMINISTRATIVE SERVICES

9.6	123.0	156.9
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21,246.1	41,292.0
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(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES

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Personnel		
NSF	ASF	GF
53.9	35.6	438.2
53.9	35.6	463.2

(35-01-00) Administration
 Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Other Items:
 Revenue Management
 Program Integrity
 Nurse Recruitment
 EBT
 GBHC Transition
 Operations
 Debt Service
TOTAL -- Administration

\$ Program	
ASF	GF
150.8	600.4
2,701.2	11,238.6
879.8	14,894.6
3,731.8	26,733.6

\$ Line Item	
ASF	GF
1,237.9	17,986.0
12.7	4.6
785.9	4,190.2
	213.6
98.5	878.5
215.0	21.2
269.2	
232.8	
	20.0
	570.4
	916.4
879.8	
	1,932.7
3,731.8	26,733.6

	1.0	8.0
53.9	34.6	162.1
		293.1
53.9	35.6	463.2

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

150.8	600.4
2,701.2	11,238.6
879.8	14,894.6
3,731.8	26,733.6

		34.0
	1.0	
	1.0	34.0

(35-04-00) Medical Examiner
 Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Other Items:
 Urinalysis
 Debt Service
TOTAL -- Medical Examiner

	2,322.3
	12.1
	172.6
	73.6
	403.2
	38.6
46.4	
	86.1
46.4	3,108.5

	1.0	34.0
	1.0	34.0

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

46.4	3,108.5
46.4	3,108.5

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-05-00) Public Health			
220.7	53.8	1,136.1			238.0	50,514.5
						16.7
					500.0	6,746.0
						1,107.4
					60.0	3,586.7
						114.1
					169.0	
					9,763.7	
					500.0	
					1,297.1	
					114.0	
						50.0
					15.0	
					105.0	
					550.0	
					100.0	78.0
					20.0	
						256.5
					80.0	4,651.8
						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	
						38.3
220.7	53.8	1,136.1	TOTAL -- Public Health		20,654.9	67,432.8
3.0	9.0	49.0	(-10) Director's Office/Support Services		1,620.9	3,100.9
217.7	44.8	322.1	(-20) Community Health		18,361.0	25,670.6
		596.0	(-40) Delaware Hospital for the Chronically Ill		528.6	30,266.4
		169.0	(-50) Emily Bissell		144.4	8,394.9
220.7	53.8	1,136.1	TOTAL -- Internal Program Units		20,654.9	67,432.8

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

19.8	8.0	796.4
19.8	8.0	796.4

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

364.9	37,275.8
	20.8
1,438.3	27,650.1
	836.8
100.6	4,389.2
9.0	184.0
200.0	
500.0	
	1,564.6
	9.9
	28.2
	536.9
2,612.8	72,496.3

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

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

60.0	1,622.1
1,100.0	24,616.4
168.0	35,797.8
1,284.8	10,460.0
2,612.8	72,496.3

(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			
317.3	2.0	285.7				13,117.1
						9.1
						6,098.4
						53.0
						103.9
						82.9
					7,500.5	
					1,485.0	
					988.7	
					1,091.3	
					790.0	
					150.2	
					249.0	2,168.8
						2,931.1
					500.0	3,042.8
						23,718.3
						798.9
						2,499.8
						27,227.0
					16,400.0	308,731.0
						1,753.1
					500.0	
					585.2	
						1,450.0
317.3	2.0	285.7	TOTAL -- Social Services		30,239.9	393,785.2

317.3	2.0	285.7
317.3	2.0	285.7

(-01) Social Services
 TOTAL -- Internal Program Unit

30,239.9	393,785.2
30,239.9	393,785.2

NSF
32,291.0

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

(35-08-00) Visually Impaired						
27.4	3.0	40.6			104.0	2,050.6
						3.1
					1.5	427.2
						51.2
						78.2
					4.0	39.1
					175.0	
					450.0	
					425.0	
27.4	3.0	40.6	TOTAL -- Visually Impaired		1,159.5	2,649.4

27.4	3.0	40.6
27.4	3.0	40.6

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

1,159.5	2,649.4
1,159.5	2,649.4

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-09-00) Long Term Care Residents Protection			
20.4		44.6	Personnel Costs			2,175.6
			Travel			12.3
			Contractual Services			559.4
			Energy			7.8
			Supplies and Materials			15.8
			Capital Outlay			20.3
20.4		44.6	TOTAL -- Long Term Care Residents Protection			2,791.2
			(-01) Long Term Care Residents Protection			2,791.2
20.4		44.6	TOTAL -- Internal Program Unit			2,791.2
			(35-10-00) Child Support Enforcement			
144.5	27.2	47.3	Personnel Costs		1,114.1	2,024.9
			Travel		5.7	3.9
			Contractual Services		401.5	376.0
			Energy		20.0	9.3
			Supplies and Materials		23.0	9.8
			Capital Outlay		27.9	2.1
			Other Items:			
			Recoupment		25.0	
144.5	27.2	47.3	TOTAL -- Child Support Enforcement		1,617.2	2,426.0
			(-01) Child Support Enforcement		1,617.2	2,426.0
144.5	27.2	47.3	TOTAL -- Internal Program Unit		1,617.2	2,426.0
			(35-11-00) Developmental Disabilities Services			
3.0	1.0	701.8	Personnel Costs		30.3	30,953.0
			Travel			22.6
			Contractual Services		1,060.0	3,977.9
			Energy			516.1
			Supplies and Materials			1,255.8
			Capital Outlay			146.6
			Other Items:			
			Facility Repairs & Maintenance			30.0
			Music Stipends			9.6
			Assisted Living		40.0	
			Purchase of Care		1,108.0	18,397.3
			Purchase of Community Services			5,972.5
			Stockley Transition Plan			526.2
			Debt Service			16.0
3.0	1.0	701.8	TOTAL -- Mental Retardation		2,238.3	61,823.6
			(-10) Administration		30.3	3,422.9
		63.0	(-20) Stockley Center		40.0	24,911.6
		481.0	(-30) Community Services		2,168.0	33,489.1
		157.8	TOTAL -- Internal Program Units		2,238.3	61,823.6
3.0	1.0	701.8				

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(35-12-00) State Service Centers	
25.0		109.6				
						Personnel Costs 4,711.1
					7.8	6.1
					419.7	1,575.5
					54.2	543.3
					64.1	58.3
					39.8	17.3
						Other Items:
						Family Support 370.4
						Kent County RSVP 29.4
						Community Food Program 125.5
						Emergency Assistance 1,583.1
						Kinship Care 50.0
						Hispanic Affairs 50.0
						Debt Service 268.4
25.0		109.6			585.6	9,388.4
					TOTAL -- State Service Centers	
9.3		75.3		3,681.8		
6.0		15.0	585.6	2,044.9		
4.0		1.0		1,930.9		
5.7		18.3		1,730.8		
25.0		109.6	585.6	9,388.4		
					TOTAL -- Internal Program Units	
					(35-14-00) Services for Aging and Adults with Physical Disabilities	
51.9		62.3				3,049.2
						5.0
						4,716.4
						12.4
						47.0
						5.8
						Tobacco Fund:
					351.2	
						Other Items:
					261.0	3.0
						Nutrition Program 589.9
						Long Term Care 249.1
51.9		62.3			612.2	8,677.8
					TOTAL -- Services for Aging and Adults with Physical Disabilities	
51.9		62.3	612.2	8,677.8		
51.9		62.3	612.2	8,677.8		
					TOTAL -- Internal Program Unit	
					TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES	
883.9	131.6	3,721.6			63,498.6	651,312.8

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

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Personnel		
NSF	ASF	GF
28.6	31.5	125.2
28.6	31.5	125.2

(37-01-00) Management Support Services

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

TOTAL -- Management Support Services

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
1,553.7	7,369.1
19.7	7.1
1,493.8	1,137.7
64.9	92.5
27.0	26.3
	362.3
187.0	
102.1	
100.0	43.3
	207.9
3,548.2	9,246.2

4.0	5.0	19.0
	2.0	2.0
10.3	8.5	20.7
2.0	3.0	21.0
	2.0	13.0
	6.0	42.5
12.3	5.0	7.0
28.6	31.5	125.2

- (-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

364.8	1,304.0
779.5	518.4
427.1	1,047.5
786.3	1,584.5
131.7	797.1
448.3	3,092.3
610.5	902.4
3,548.2	9,246.2

(37-04-00) Child Mental Health Services

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

TOTAL -- Child Mental Health Services

8.0	22.0	184.6
8.0	22.0	184.6

1,223.0	10,295.0
8.4	11.9
10,124.4	9,775.3
	189.2
41.6	278.1
22.0	9.7
	588.5
16.0	
11,435.4	21,147.7

8.0	22.0	78.1
		38.5
		68.0
8.0	22.0	184.6

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

TOTAL -- Internal Program Units

1,638.8	5,445.3
3,683.8	6,657.1
6,112.8	9,045.3
11,435.4	21,147.7

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

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Personnel		
NSF	ASF	GF
15.0	21.0	354.1
15.0	21.0	354.1

(37-05-00) Youth Rehabilitative Services

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

TOTAL -- Youth Rehabilitative Services

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,100.6	17,772.6
10.5	18.1
2,398.5	13,854.5
	485.0
84.0	802.2
	17.5
	2,008.8
3,593.6	34,958.7

6.0		10.1
9.0	6.0	88.5
	15.0	255.5
15.0	21.0	354.1

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

1.1	624.9
2,204.0	16,657.4
1,388.5	17,676.4
3,593.6	34,958.7

(37-06-00) Family Services

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

TOTAL -- Family Services

112.9	30.5	307.0
112.9	30.5	307.0

1,551.1	15,380.2
26.1	2.2
2,419.1	920.3
	9.7
26.5	72.2
6.0	14.3
	11,076.9
	894.4
	31.0
19.3	
4,048.1	28,401.2

24.9	1.5	58.6
78.0	5.0	18.0
1.0	12.0	97.4
9.0	12.0	133.0
112.9	30.5	307.0

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

691.9	4,204.2
392.1	1,378.7
596.4	5,370.5
2,367.7	17,447.8
4,048.1	28,401.2

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

164.5	105.0	970.9
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22,625.3	93,753.8
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(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF

		274.0
		274.0

(38-01-00) Administration

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

TOTAL -- Administration

\$ Program	
ASF	GF

25.0	1,080.8
	2,588.6
	4,816.4
	10,494.1
	21,806.5
	3,909.4
	6,809.8
25.0	51,505.6

\$ Line Item	
ASF	GF

	13,286.5
	15.8
25.0	1,224.7
	61.9
	6,465.0
	25.0
	21,726.5
	80.0
	3,909.4
	15.4
	3,098.3
	1,501.1
	96.0
25.0	51,505.6

		16.0
		50.0
		48.0
		81.0
		79.0
		274.0

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

(38-04-00) Prisons

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

	12.0	1,759.6
	12.0	1,759.6

742.0	79,669.7
9.0	12.3
848.4	2,926.6
10.2	4,345.0
1,322.2	2,964.5
177.0	
	1,015.5
200.0	
	19.0
	42.3
	53.0
	23.0
	12,855.3
3,308.8	103,926.2

(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF
		10.0
		26.0
		747.0
		406.0
		98.0
		382.0
		53.0
	7.0	16.0
	5.0	6.0
		15.6
	12.0	1,759.6

(-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) Multi-Purpose Criminal Justice Facility
 (-08) Transportation
 (-09) Prison Industries
 (-10) Inmate Construction
 (-11) Education
 TOTAL -- Internal Program Units

\$ Program	
ASF	GF
	1,848.1
1.0	1,484.2
1.0	46,285.8
	21,371.5
2.7	5,778.8
	20,323.0
	4,388.4
1,644.7	863.2
1,658.4	258.5
1.0	1,324.7
3,308.8	103,926.2

\$ Line Item	
ASF	GF

(38-06-00) Community Corrections

		586.0
		586.0

Personnel Costs
 Travel
 Contractual Services
 Energy
 Supplies and Materials
 Capital Outlay
 Debt Service
 TOTAL -- Community Corrections

		28,741.7
		23.6
374.0		3,054.9
		409.1
25.0		503.2
		26.4
		1,122.2
399.0		33,881.1

		17.0
		321.0
		39.0
		44.0
		32.0
		43.0
		42.0
		48.0
		586.0

(-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
 TOTAL -- Internal Program Units

	1,340.4
344.0	18,112.1
	2,384.8
1.0	2,738.9
50.0	1,948.8
4.0	2,299.1
	2,707.9
	2,349.1
399.0	33,881.1

TOTAL -- DEPARTMENT OF CORRECTION

	12.0	2,619.6
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3,732.8	189,312.9
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(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			(40-01-00) Office of the Secretary					
1.0	21.3	37.7	Personnel Costs			1,007.1	2,571.2	
			Travel			15.9	14.6	
			Contractual Services			291.8	82.0	
			Energy			35.0	261.4	
			Supplies and Materials			67.8	48.6	
			Capital Outlay			7.2		
			Other Items:					
			MCI/Equipment					
			Non-Game Habitat			20.0		
			Coastal Zone Management			15.0		
			Special Projects/Other Items			55.0		
			Outdoor Delaware			105.0		
			Wholebasin Management-TMDL			314.7	1,216.1	
			Wholebasin Management-Admin.				1.5	
			E-Government					
			Debt Service				17.0	
1.0	21.3	37.7	TOTAL -- Office of the Secretary			1,934.5	4,212.4	
	19.3	28.7	(-01) Office of the Secretary	1,840.8	3,648.6			
1.0	2.0	4.0	(-02) Planning and Compliance Assistance	93.7	275.7			
		5.0	(-03) Boiler Safety		288.1			
1.0	21.3	37.7	TOTAL -- Internal Program Units	1,934.5	4,212.4			
			(40-05-00) Fish and Wildlife					
30.2	32.8	64.0	Personnel Costs			1,263.2	3,842.8	
			Travel			17.0	12.3	
			Contractual Services			705.7	1,274.7	
			Energy			1.5	93.3	
			Supplies and Materials			383.3	202.0	
			Capital Outlay			1,624.0		
			Other Items:					
			Spraying and Insecticides				389.9	
			Wildlife Damage Control			65.0		
			Non-Game Habitat			50.0		
			Natural Heritage Program			19.0	197.0	
			Clean Vessel Program			32.4		
			Duck Stamp			180.0		
			Trout Stamp			50.0		
			Finfish Development			130.0		
			Fisheries Restoration			610.0		
			Northern Delaware Wetlands			277.5		
			Revenue Refund			15.0		
			Debt Service				47.0	
30.2	32.8	64.0	TOTAL -- Fish and Wildlife			5,423.6	6,059.0	
	1.0	2.5	(-01) Management and Support - Fish and Wildlife	125.2	255.3			
26.6	28.9	16.5	(-02) Wildlife/Fisheries	4,091.0	1,511.7			
		18.0	(-04) Mosquito Control	329.6	1,647.6			
			(-05) Dog Control	169.5	836.9			
3.6	2.9	27.0	(-06) Fish and Wildlife Enforcement	708.3	1,807.5			
30.2	32.8	64.0	TOTAL -- Internal Program Units	5,423.6	6,059.0			

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

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			(40-06-00) Parks and Recreation					
1.0	62.5	105.5	Personnel Costs				4,644.2	5,360.6
			Travel				30.8	5.2
			Contractual Services				1,639.3	785.9
			Energy				37.9	393.4
			Supplies and Materials				853.1	268.4
			Capital Outlay				246.1	
			Other Items:					
			State Park Partnership					92.3
			Killens Pond Water Park				440.0	
			Marina Fuel Sales				555.0	
			Other Items				706.5	
			Debt Service					1,386.6
1.0	62.5	105.5	TOTAL -- Parks and Recreation				9,152.9	8,292.4
	1.0	12.0	(-01) Management and Support -		136.0	570.6		
			Parks and Recreation					
	44.5	46.5	(-02) Operations and Maintenance		6,975.2	4,063.2		
	9.0	9.0	(-03) Cultural and Recreational Services		1,196.0	495.3		
1.0	6.0	15.0	(-04) Planning, Preservation and		715.4	1,103.9		
			Development					
	2.0	23.0	(-05) Wilmington State Parks		130.3	2,059.4		
1.0	62.5	105.5	TOTAL -- Internal Program Units		9,152.9	8,292.4		
			(40-07-00) Soil and Water Conservation					
15.3	2.0	47.7	Personnel Costs				89.8	2,722.6
			Travel				5.0	5.9
			Contractual Services				1,221.9	839.9
			Energy					14.7
			Supplies and Materials				44.0	201.6
			Capital Outlay				39.0	
			Other Items:					
			New Castle County Dredge					162.5
			Beach Erosion Control Program				6,600.0	
			Sand Bypass System					95.0
			Tax Ditches*					225.0
			Debt Service					380.3
15.3	2.0	47.7	TOTAL -- Soil and Water Conservation				7,999.7	4,647.5
1.5		4.5	(-01) Management and Support -		160.0	324.4		
			Soil and Water					
		9.0	(-02) Drainage		10.0	1,454.6		
1.8		26.2	(-03) Shoreline and Waterway		7,669.5	1,752.0		
			Management					
2.0	2.0	7.0	(-04) District Operations		150.2	1,050.1		
10.0		1.0	(-05) Delaware Coastal Management		10.0	66.4		
15.3	2.0	47.7	TOTAL -- Internal Program Units		7,999.7	4,647.5		

*Pursuant to Section 3921, Title 7, Delaware Code

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

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Personnel		
NSF	ASF	GF
29.9	62.8	74.3
29.9	62.8	74.3

(40-08-00) Water Resources

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

TOTAL -- Water Resources

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,247.1	4,485.4
		38.0	40.2
		716.0	1,413.0
		1.0	9.0
		214.0	91.9
		241.0	40.0
			102.3
			38.0
		65.1	
			280.5
		300.0	
		14.0	
			1,683.6
		3,836.2	8,183.9

12.9	8.6	12.5
0.5	25.5	18.0
2.0	8.0	6.0
4.0	13.0	8.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
29.9	62.8	74.3

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

770.8	3,199.4
1,535.0	1,186.3
468.9	513.7
619.3	473.1
154.8	454.5
	2,014.4
287.4	342.5
3,836.2	8,183.9

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

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			(40-09-00) Air and Waste Management					
58.7	95.8	54.5	Personnel Costs				3,162.6	3,634.7
			Travel				78.0	15.3
			Contractual Services				1,120.0	270.4
			Energy				10.0	91.7
			Supplies and Materials				185.9	86.3
			Capital Outlay				242.0	4.9
			Other Items:					
			Local Emergency Planning Committees				300.0	
			HSCA - Administration				1,200.0	
			HSCA - Clean-up				3,960.5	
			HSCA - Recovered Administration				100.0	
			SARA				30.0	14.4
			Cost Recovery				525.8	
			UST Administration				350.0	
			UST Recovered Costs				100.0	
			Stage II Vapor Recovery				54.8	
			Extremely Hazardous Substance Program				180.9	
			Non-Title V				164.8	
			Enhanced I & M Program				141.2	
			Public Outreach				50.0	
			Recycling Community Outreach					50.0
			Other Items				834.8	
			Debt Service					4.1
58.7	95.8	54.5	TOTAL - Air and Waste Management				12,791.3	4,171.8
3.5	16.0	16.5	(-01) Management and Support -		2,133.2	1,326.6		
			Air and Waste					
17.0	51.0	19.0	(-02) Air Quality Management		3,943.4	1,438.6		
38.2	28.8	19.0	(-03) Waste Management		6,714.7	1,406.6		
58.7	95.8	54.5	TOTAL -- Internal Program Units		12,791.3	4,171.8		
			TOTAL - DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL				41,138.2	35,567.0
136.1	277.2	383.7						

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(45-01-00) Office of the Secretary				
28.3	1.0	51.7	Personnel Costs			121.9	2,774.0
			Travel				8.0
			Contractual Services			116.4	558.0
			Supplies and Materials				45.9
			Capital Outlay				0.1
			Other Items:				
			Other Items				
			Police Training Council				15.0
			Real Time Crime Reporting				112.1
			Local Emergency Planning Councils				50.0
			ITC Funds				15.0
			System Support			244.5	
			Hazardous Waste Clean Up			100.0	
			Resale - Communication Parts			85.0	
			Other Items			0.7	
			Debt Service				525.4
28.3	1.0	51.7	TOTAL -- Office of the Secretary			668.5	4,103.5
		18.0	(-01) Administration	100.0	1,390.3		
23.8	1.0	23.0	(-20) Communication	568.5	1,610.9		
		8.2	(-30) Delaware Emergency Management Agency		955.3		
4.5		2.5	(-40) Highway Safety		147.0		
28.3	1.0	51.7	TOTAL -- Internal Program Units	668.5	4,103.5		
			(45-02-00) Capitol Police				
		62.0	Personnel Costs				2,416.7
			Travel				4.5
			Contractual Services				200.8
			Supplies and Materials				30.0
			Capital Outlay				30.9
		62.0	TOTAL -- Capitol Police				2,682.9
		62.0	(-10) Capitol Police		2,682.9		
		62.0	TOTAL -- Internal Program Unit		2,682.9		
			(45-03-00) Office of the Alcoholic Beverage Control Commissioner				
		7.0	Personnel Costs				421.0
			Travel			2.0	5.0
			Contractual Services			46.4	16.6
			Supplies and Materials				4.0
			Capital Outlay				
		7.0	TOTAL -- Office of the Alcoholic Beverage Control Commissioner			48.4	446.6
		7.0	(-10) Office of the Alcoholic Beverage Control Commissioner	48.4	446.6		
		7.0	TOTAL -- Internal Program Unit	48.4	446.6		

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement			
	2.0	14.0			50.2	675.7
					2.8	3.4
					43.3	94.6
					2.3	12.1
					2.0	3.0
	4.0				168.9	
					10.0	
					84.0	
					67.1	
					169.0	
					10.0	
	6.0	14.0	TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement		609.6	788.8
	6.0	14.0	(-10) Division of Alcoholic Beverage Control and Tobacco Enforcement		609.6	788.8
	6.0	14.0	TOTAL -- Internal Program Unit		609.6	788.8
			(45-06-00) State Police			
30.2	36.5	773.3			4,398.8	55,932.2
					146.8	43.3
					699.3	2,763.1
					658.3	1,935.5
					67.0	1,309.8
					87.5	
						50.0
						19,420.0
						75.0
						15.0
						90.0
						997.2
30.2	36.5	773.3	TOTAL -- State Police		6,057.7	82,631.1
		60.0	(-01) Executive		2,779.6	24,232.7
		8.0	(-02) Bldg Maintenance & Construction			1,093.2
	14.0	319.0	(-03) Patrol		1,268.1	26,108.5
26.0		148.0	(-04) Criminal Investigation			11,919.2
	7.0	37.0	(-05) Special Investigation		731.7	3,503.3
		22.0	(-06) Aviation			2,621.3
4.2		14.8	(-07) Traffic			964.4
	12.0	37.0	(-08) State Bureau of Identification		922.2	1,938.3
		12.0	(-09) Training		14.0	1,433.1
	3.5	89.5	(-10) Communications		167.4	5,135.1
		15.0	(-11) Transportation		174.7	2,976.7
		11.0	(-12) Community Relations			705.3
30.2	36.5	773.3	TOTAL - Internal Program Units		6,057.7	82,631.1

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

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Personnel		
NSF	ASF	GF
2.0		9.0
2.0		9.0
2.0		9.0
60.5	43.5	917.0

(45-08-00) Emergency Medical Services
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Tobacco:
 Contractual Services
 Supplies and Materials
 Capital Outlay
TOTAL -- Emergency Medical Services
 (-01) Emergency Medical Services
TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY

\$ Program	
ASF	GF
133.5	1,312.7
133.5	1,312.7

\$ Line Item	
ASF	GF
	753.4
	3.2
	523.1
	28.0
	5.0
49.9	
0.5	
83.1	
133.5	1,312.7
7,517.7	91,965.6

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-01-00) Office of the Secretary	
			(55-01-01) Office of the Secretary	
	12.0		Personnel Costs	562.4
			Operations/Capital	31.7
			Salary Contingency	161.0
	12.0		TOTAL -- Office of the Secretary	755.1
			(55-01-02) Finance	
2.0	59.0		Personnel Costs	2,994.7
			Operations/Capital	862.1
2.0	59.0		TOTAL -- Finance	3,856.8
			(55-01-03) Public Relations	
	14.0		Personnel Costs	838.8
			Operations/Capital	113.3
	14.0		TOTAL -- Public Relations	952.1
			(55-01-04) Human Resources	
	20.0		Personnel Costs	1,187.8
			Travel	2.3
			Capital Outlay	1.0
			Contractual/Supplies	377.4
	20.0		TOTAL -- Human Resources	1,568.5
2.0	105.0		TOTAL-- Office of the Secretary	7,132.5
			(55-02-00) Technology and Support Services	
			(55-02-01) Administration	
2.0	36.0		Personnel Costs	1,905.1
			Travel	25.7
			Energy	438.9
			Capital Outlay	18.0
			Contractual/Supplies	1,659.4
2.0	36.0		TOTAL -- Administration	4,047.1
			(55-02-03) Office of Information Technology	
	50.0		Personnel Costs	3,453.6
			Travel	25.3
			Capital Outlay	722.4
			Contractual/Supplies	5,016.1
	50.0		TOTAL -- Office of Information Technology	9,217.4
2.0	86.0		TOTAL-- Technology and Support Services	13,264.5
			(55-03-00) Planning	
			(55-03-01) Planning	
	76.0	19.0	Personnel Costs	4,113.3
			Operations/Capital	830.3
	76.0	19.0	TOTAL -- Planning	4,943.6

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-04-00) Operations and Maintenance	
			(55-04-01) Office of the Director	
	26.0		Personnel Costs	1,302.3
			Operations/Capital	94.6
	26.0		TOTAL -- Office of the Director	1,396.9
			(55-04-70) Maintenance Districts	
	738.0	25.0	Personnel Costs	31,810.4
			Energy	907.6
			Capital Outlay	223.5
			Contractual/Supplies	15,096.1
			Snow/Storm Contingency	3,041.0
	738.0	25.0	TOTAL -- Maintenance Districts	51,078.6
			(55-04-90) Toll Administration	
	131.0		Personnel Costs	5,074.1
			Travel	26.0
			Energy	444.2
			Capital Outlay	91.0
			Contractual/Supplies	2,058.7
			Turnpike Operating Reserve *	
	131.0		TOTAL -- Toll Administration	7,694.0
	895.0	25.0	TOTAL -- Operations and Maintenance	60,169.5

* The Cumulative Turnpike Operating Reserve Fund is established at \$1,037.1

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-06-01) Delaware Transportation Authority	
			Delaware Transit Corporation	
	3.0		Transit Administration	8,084.6
			Transit Operations Planning and Customer	2,028.5
			Transit Operations	40,187.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	124.9
			Kent and Sussex Transportation "E & H"	1,384.3
			Total -- Delaware Transit Corporation	
			DTA Indebtedness	
			Debt Service	
			General Obligation	456.3
			Transportation Trust Fund	90,949.0
			Total -- DTA Indebtedness	
	3.0		TOTAL -- Delaware Transportation Authority*	143,363.8
*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	
	53.0	87.0	Personnel Costs	3,821.8
	53.0	87.0	TOTAL -- Project Teams	3,821.8
			(55-08-20) Design/Quality	
	17.0	31.0	Personnel Costs	1,296.6
	17.0	31.0	TOTAL -- Design/Quality	1,296.6
			(55-08-30) Engineering Support	
	51.0	66.0	Personnel Costs	2,962.4
			Travel	49.5
			Capital Outlay	60.1
			Contractual/Supplies	218.0
	51.0	66.0	TOTAL -- Engineering Support	3,290.0
			(55-08-40) Traffic	
	80.0		Personnel Costs	4,183.4
			Energy	1,154.3
			Capital Outlay	33.7
			Contractual/Supplies	1,055.1
	80.0		TOTAL -- Traffic	6,426.5
	201.0	184.0	TOTAL -- Transportation Solutions	14,834.9

(55-00-00) DEPARTMENT OF TRANSPORTATION

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Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

	30.0	
	30.0	

(55-11-00) Motor Vehicles
(55-11-10) Administration
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Motorcycle Safety
 Off Highway Vehicles
 General Obligation Debt Service
TOTAL -- Administration

1,453.4
10.1
286.7
16.9
0.1
104.5
1.0
77.0
1,949.7

2.0	72.0	
2.0	72.0	

(55-11-20) Driver Services
 Personnel Costs
 Contractual Services
 Supplies and Materials
 CDL Fees
TOTAL -- Driver Services

2,932.0
325.4
32.3
207.3
3,497.0

	125.0	
	125.0	

(55-11-30) Vehicle Services
 Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Capital Outlay
 Odometer Forms
 Special License Plates
 DMVT
 General Obligation Debt Service
TOTAL -- Vehicles Services

5,140.6
10.0
2,165.0
899.9
541.5
6.0
25.0
150.0
167.5
9,105.5

2.0	227.0	
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TOTAL -- Motor Vehicles

14,552.2

6.0	1,593.0	228.0
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TOTAL DEPARTMENT OF TRANSPORTATION

258,261.0

(60-00-00) DEPARTMENT OF LABOR

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Personnel		
NSF	ASF	GF
13.5	29.7	9.8
13.5	29.7	9.8

(60-01-00) Administration

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

TOTAL -- Administration

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	1,702.9	714.0
	16.0	2.4
	747.0	204.9
	107.4	9.8
	50.5	
	10.0	
	2,633.8	931.1

	9.7	2.3
13.5		2.5
		4.0
	20.0	1.0
13.5	29.7	9.8

(-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

1,063.0	396.1
	138.7
10.0	299.4
1,560.8	96.9
2,633.8	931.1

(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	

2,928.3	
30.8	
695.0	
41.0	
36.6	
5,000.0	
8,731.7	

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

7,642.4	
1,089.3	
8,731.7	

(60-00-00) DEPARTMENT OF LABOR

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(60-08-00) Vocational Rehabilitation			
122.0	6.0	2.0	Personnel Costs		334.5	80.7
			Travel			0.3
			Contractual Services		372.0	2,040.8
			Supplies and Materials		75.0	76.9
			Capital Outlay		64.4	
			Other Items:			
			Sheltered Workshop			306.7
			Governor's Committee			13.0
122.0	6.0	2.0	TOTAL -- Vocational Rehabilitation		845.9	2,518.4
83.0	6.0	2.0	(-10) Vocational Rehabilitation Services		845.9	2,518.4
39.0			(-20) Disability Determination Services			
122.0	6.0	2.0	TOTAL -- Internal Program Units		845.9	2,518.4
			(60-09-00) Employment and Training			
89.9	4.0	24.1	Personnel Costs		184.9	955.5
			Travel		4.2	6.1
			Contractual Services		88.1	355.0
			Energy			1.9
			Supplies and Materials		6.2	12.6
			Capital Outlay		13.4	3.8
			Other Items:			
			Summer Youth Program			235.2
			Individual Skills Grant			181.6
			Welfare Reform			959.0
			Blue Collar Skills		2,258.3	
89.9	4.0	24.1	TOTAL -- Employment and Training		2,555.1	2,710.7
89.9	4.0	24.1	(-20) Employment and Training Services		2,555.1	2,710.7
89.9	4.0	24.1	TOTAL -- Internal Program Unit		2,555.1	2,710.7
367.4	98.7	35.9	TOTAL -- DEPARTMENT OF LABOR		15,200.5	6,160.2

(65-00-00) DEPARTMENT OF AGRICULTURE

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Personnel		
NSF	ASF	GF
15.2	35.0	86.8
15.2	35.0	86.8

(65-01-00) Agriculture

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,410.5	4,687.5
Travel			59.6	32.7
Contractual Services			345.7	431.2
Energy			7.8	93.0
Supplies and Materials			144.9	128.1
Capital Outlay			141.0	46.0
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			95.5	
Equine Drug Testing			590.0	
County Rollback			40.2	
Debt Service				90.3
TOTAL -- Agriculture			3,854.2	6,667.0

	1.0	19.0
		7.0
6.7	12.0	7.3
4.5	3.5	17.0
1.0	5.5	
3.0	6.0	
		4.0
	0.5	14.5
		7.0
	4.5	
		8.0
		3.0
	2.0	
15.2	35.0	86.8

(-01) Administration	226.4	1,675.1
(-02) Agriculture Compliance	12.2	368.6
(-03) Food Products Inspection	765.7	399.9
(-04) Forest Service	344.1	926.9
(-05) Harness Racing Commission	971.9	
(-06) Pesticides	399.5	
(-07) Planning		347.8
(-08) Plant Industries	94.2	932.1
(-09) Poultry and Animal Health		432.9
(-10) Thoroughbred Racing Commission	964.7	
(-11) Weights and Measures		447.7
(-12) Nutrient Management		1,136.0
(-13) Agricultural Lands Preservation Foundation	75.5	
TOTAL -- Internal Program Units	3,854.2	6,667.0

TOTAL - DEPARTMENT OF AGRICULTURE

15.2	35.0	86.8
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3,854.2	6,667.0
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(70-00-00) DEPARTMENT OF ELECTIONS

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(70-01-01) Commissioner of Elections				
6			11.0	Personnel Costs				536.8
7				Travel				1.3
8				Contractual Services				281.8
9				Supplies and Materials				19.4
10				Capital Outlay				0.8
11				Other Items:				
12				Voter Purging				17.0
13				Technology Development				20.0
14				School Elections				350.0
15			11.0	TOTAL -- Commissioner of Elections				1,227.1
16								
17								
18				(70-02-01) New Castle County Department of Elections				
19			17.0	Personnel Costs				813.8
20				Travel				13.1
21				Contractual Services				182.8
22				Energy				14.1
23				Supplies and Materials				16.9
24				Capital Outlay				
25				Other Items:				
26				Mobile Registration				3.5
27			17.0	TOTAL -- New Castle County Department of Elections				1,044.2
28								
29								
30				(70-03-01) Kent County Department of Elections				
31			8.0	Personnel Costs				424.1
32				Travel				1.5
33				Contractual Services				133.3
34				Energy				12.0
35				Supplies and Materials				5.1
36				Capital Outlay				1.5
37				Other Items:				
38				Mobile Registration				3.0
39			8.0	TOTAL -- Kent County Department of Elections				580.5
40								
41								
42				(70-04-01) Sussex County Department of Elections				
43			7.0	Personnel Costs				409.1
44				Travel				1.4
45				Contractual Services				29.7
46				Supplies and Materials				12.2
47				Capital Outlay				2.0
48				Other Items:				
49				Mobile Registration				2.1
50			7.0	TOTAL -- Sussex County Department of Elections				456.5
51								
52								
53			43.0	TOTAL -- DEPARTMENT OF ELECTIONS				3,308.3

(75-00-00) FIRE PREVENTION COMMISSION

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Personnel		
NSF	ASF	GF
	28.2	22.8
	28.2	22.8

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

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

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,395.8	1,373.8
34.0	
365.3	107.1
	46.2
71.0	37.5
245.4	10.8
1.5	
	2.0
	208.2
2,113.0	1,785.6

TOTAL -- Office of the State Fire Marshal

(75-02-01) State Fire School

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

		17.0
		17.0

	962.6
	384.0
	120.8
	75.0
50.0	
50.0	
	5.0
	30.0
	267.4
100.0	1,844.8

TOTAL -- State Fire School

(75-03-01) State Fire Prevention Commission

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

		1.0
		1.0

	48.9
	25.5
7.5	25.0
	2.6
	100.0
	9.0
10.0	7.2
	10.0
4.0	
21.5	228.2

TOTAL -- State Fire Prevention Commission

	28.2	40.8
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TOTAL -- FIRE PREVENTION COMMISSION

2,234.5	3,858.6
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(76-00-00) DELAWARE NATIONAL GUARD

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Personnel		
NSF	ASF	GF
76.3		31.0
76.3		31.0

(76-01-01) Delaware National Guard

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

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	2,057.5
	4.7
	252.4
	427.0
	94.5
	490.0
	3.7
	254.8

**TOTAL -- DELAWARE NATIONAL
 GUARD**

	3,584.6
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(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		2.0

Personnel Costs
Travel
Contractual Services
Supplies and Materials

	93.4
	6.0
	13.2
	1.1

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

		2.0
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	113.7
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(90-00-00) HIGHER EDUCATION

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
2							
3							
4							
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46							

(90-01-00) University of Delaware

(90-01-01) University of Delaware

Operations		81,754.2
Scholarships		7,563.5
Agricultural Programs		3,313.6
Other Programs		9,012.7
The College School		83.1
Medical Technology		38.0
Debt Service		5,456.0
MCI/Equipment		1,000.0
TOTAL -- University of Delaware		108,221.1

(90-01-02) Delaware Geological Survey

Operations		1,219.7
River Master Program		83.0
TOTAL -- Delaware Geological Survey		1,302.7

TOTAL -- University of Delaware

	109,523.8
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(90-03-00) Delaware State University

(90-03-01) Operations

Operations		24,406.3
Administrative Computing		125.0
Work Study		211.7
Faculty Development		57.0
Mishoe Scholarships		50.0
Cooperative Extension		154.3
Cooperative Research		238.6
Title VI Compliance		220.0
Academic Incentive		50.0
General Scholarships		506.0
Athletic Grant		133.1
Aid to Needy Students		854.8
Energy		1,479.7
Debt Service		5,391.1
MCI/Equipment		115.2
TOTAL -- Operations		33,992.8

(90-03-05) Sponsored Programs and Research

TOTAL -- Delaware State University

	33,992.8
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(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			
		43.0				4,434.1
						83.1
						25.0
						36.8
						50.0
						40.0
						271.2
						1,487.4
						11.2
12.0		43.0				6,438.8
			(90-04-02) Owens Campus			
		191.0				12,938.0
						326.0
						48.2
						172.8
						31.2
						1,368.4
						16.8
59.0		191.0				14,901.4
			(90-04-04) Wilmington Campus			
		153.0				10,076.9
						361.6
						137.8
						27.5
						35.1
						1,561.8
						78.8
						17.2
41.0		153.0				12,296.7

(90-00-00) HIGHER EDUCATION

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(90-04-05) Stanton Campus				
6			186.0	Personnel Costs				12,642.0
7				Energy				162.2
8				Aid to Needy Students				122.8
9				Grants				22.5
10				Work Study				36.1
11				Debt Service				495.2
12	52.0		186.0	TOTAL -- Stanton Campus				13,480.8
13								
14								
15				(90-04-06) Terry Campus				
16			124.0	Personnel Costs				7,875.3
17				Contractual Services				206.7
18				Energy				358.8
19				Aid to Needy Students				146.3
20				Work Study				21.7
21				Grants				21.0
22				Debt Service				550.3
23				Day Care Training				6.0
24	58.9		124.0	TOTAL -- Terry Campus				9,186.1
25								
26				TOTAL -- Delaware Technical and				
27	222.9		697.0	Community College				56,303.8
28								
29								
30				(90-07-01) Delaware Institute of Veterinary				
31				Medical Education				
32				Tuition Assistance				237.4
33				TOTAL -- Delaware Institute of Veterinary				
34				Medical Education				237.4
35								
36								
37	222.9		697.0	TOTAL -- HIGHER EDUCATION				200,057.8

(95-00-00) DEPARTMENT OF EDUCATION

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

70.3		115.2
	1.0	
		1.0
		4.0
		1.0
	1.0	
		2.5
70.3	2.0	123.7

Personnel Costs		9,934.5
Travel		35.8
Contractual Services		201.3
Supplies and Materials		36.6
Capital Outlay		37.6
State Board of Education		227.1
Tobacco:		
Prevention/Education	267.7	
Other Items:		
Infrastructure Capacity		600.0
Educator Accountability		4,120.0
Americorps Kickstart Program		332.6
Family Involvement		35.0
Pupil Accounting		573.5
Teacher in Space		114.6
Education Compact of the States		45.7
Private Business and Trade School		2.0
Evaluation-Higher Education		1.0
Teacher of the Year		55.7
Odyssey of the Mind		42.0
Computing Center	65.1	510.7
Educator Certification and Development		160.8
Professional Standards Board		170.8
Student Mentoring		500.0
Science in Motion		273.7
School Profiles		100.0
Delaware Student Testing Program		
On Grade Assessment		2,476.9
Off Grade Assessment		2,884.5
Retest/End of Summer/Additional Indicators		1,888.7
Student Standards & Assessment	100.0	329.5
DE Educator Recruitment Initiative		60.0
Contingency - Background Checks		100.0
Accountability Contingency		
Department of Education Library		34.0
Trailer Rental Fund		27.5
DOE Publications		15.0
Delaware Interscholastic Athletic Fund	500.0	
Registration Fees		40.0
TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education		
	1,049.3	25,850.6

70.3	2.0	123.7
70.3	2.0	123.7

(-01) State Board and Secretary of Education and Department of Education	1,049.3	25,850.6
TOTAL -- Internal Program Unit	1,049.3	25,850.6

(95-00-00) DEPARTMENT OF EDUCATION

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				(95-02-00) School District Operations				
6			10,717.0	Division I Units (7,269)				
7				Formula Salaries				350,977.0
8				Cafeteria Funds				6,084.4
9				Other Employment Costs				132,630.8
10				Division II Units (8,201)				
11				All Other Costs				26,905.2
12				Energy				13,937.3
13				Division III				
14				Equalization				62,661.3
15				Other Items:				
16				General Contingency				5,401.5
17				Guaranteed Unit Count				1,000.0
18				School Improvement Funds				1,600.0
19				Other Items				506.4
20				Delmar Tuition				293.8
21				Charter School Tax Relief Funds				184.1
22				School District Discretionary Allocation				(10,000.0)
23				Debt Service				
24				Department of Education				129.3
25				School Districts				21,890.5
26			10,717.0	TOTAL -- School District Operations				614,201.6
27								
28			10,717.0	(-01) Division Funding		583,196.0		
29				(-02) Other Items		8,985.8		
30				(-03) Debt Service		22,019.8		
31			10,717.0	TOTAL -- Internal Program Units		614,201.6		

(95-00-00) DEPARTMENT OF EDUCATION

	Personnel		\$ Program		\$ Line Item	
	NSF	ASF	ASF	GF	ASF	GF
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37		1.0				
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41		1.0				
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50						
51						
52		1.0				
53		6.0				
54						
55						
56		3.0				
57		2.0				
58		1.0				
59		6.0				

(95-03-00) Block Grants and Pass Through Programs				
Education Block Grants				
Adult Education and Work Force Training Grant				7,135.7
Professional Accountability and Instructional Advancement Fund				7,800.5
Academic Excellence Block Grant				30,117.9
Technology Block Grant				1,000.0
K-12 Pass Throughs				
Delaware Nature Society				9.6
Children's Beach House				70.8
Read Aloud				242.2
Strive				87.3
Summer School - Gifted & Talented				173.8
Center for Economic Education				195.2
Educational Resources				237.8
DE Institute for Arts in Education				132.4
Advanced Studies				94.3
Student Organization				143.8
Parents as Teachers				1,189.3
Pregnant Students				279.2
Delaware Teacher Center				475.4
Reading Assist				252.7
Smithsonian Project			800.0	1,568.7
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		1.0		2,648.8
Unique Alternatives		1.0		890.7
Exceptional Student Unit - Vocational				469.9
Related Services for the Handicapped				2,305.7
Adolescent Day Program				36.0
Children Services Cost Recovery Project		1.0		750.7
Sterck Summer Program				40.0
Tech-Prep 2 + 2				440.0
Student Discipline Program				14,304.5
Extra Time for Students				10,428.0
Limited English Proficient				1,000.0
Prison Education				2,778.5
Innovative After School Initiatives				200.0
Reading Resource Teachers				2,729.2
First State School				220.0
Driver Training				
Driver's Education				61.1
TOTAL -- Block Grants and Pass Through Programs				2,502.5

(-10) Education Block Grants				
			800.0	46,054.1
(-15) K-12 Pass Throughs				
			1,641.4	6,506.7
(-20) Special Needs Programs				
			61.1	1,389.8
(-30) Driver Training				
TOTAL -- Internal Program Units			2,502.5	106,829.9

(95-00-00) DEPARTMENT OF EDUCATION

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

(95-04-00) Pupil Transportation

Public School Transportation
 Neighborhood Schools Transportation Savings
 Non-Public School Transportation
 Reimbursement

	56,469.5
	269.4
	3,000.0
	59,738.9

TOTAL -- Pupil Transportation

(-01) Transportation		59,738.9
TOTAL -- Internal Program Unit		59,738.9

(95-06-00) Delaware Advisory Council on Career and Vocational Education

Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials

		3.0
		3.0

	196.2
	6.7
	63.8
	5.0
	271.7

TOTAL -- Delaware Advisory Council on Career and Vocational Education

(-01) Advisory Council		271.7
TOTAL -- Internal Program Unit		271.7

(95-08-00) Delaware Higher Education Commission

Personnel Costs
 Travel
 Contractual Services
 Supplies and Materials
 Scholarships and Grants
 National Teacher Certification Loan Program
 Michael C. Ferguson Awards

		7.0
		7.0

	428.9
	8.0
	311.8
	6.1
	2,269.7
	100.0
	600.0
	3,724.5

TOTAL -- Delaware Higher Education Commission

(-01) Delaware Higher Education Commission		3,724.5
TOTAL -- Internal Program Unit		3,724.5

70.3	8.0	10,901.9
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TOTAL -- DEPARTMENT OF EDUCATION

3,551.8	810,617.2
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Year ending June 30, 2004

Personnel

TFO	TFC	NSF	ASF	GF
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\$

TFO	ASF	GF
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TOTALS

1,593.0	228.0	1,844.3	1,449.1	11,402.2
		222.9		697.0
		70.3	8.0	10,901.9
1,593.0	228.0	2,137.5	1,457.1	23,001.1

TOTAL - DEPARTMENTS

258,261.0	395,624.7	1,422,062.3
		200,057.8
	3,551.8	810,617.2
258,261.0	399,176.5	2,432,737.3

TOTAL - HIGHER EDUCATION

TOTAL - PUBLIC EDUCATION

GRAND TOTAL

GENERAL

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

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

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

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

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

17 Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2004, the
18 proposed budget plan, as prepared by the Budget Director, shall be in such a format that it can readily be
19 analyzed and comprehensive in nature.

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

22 (c) For Fiscal Year 2004, the payroll recovery rate for the Worker's Compensation Program shall
23 be 1.22 percent.

24 (d) For Fiscal Year 2004, the payroll recovery rate for the Deferred Compensation Program shall
25 be .14 percent. This rate shall be combined with the Fiscal Year 2004 payroll recovery rate for Worker's
26 Compensation. An amount equal to fourteen one-hundredths (.0014) of the total payroll recovery shall be
27 transferred from the Office of State Personnel to the Office of the State Treasurer after each pay cycle is

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

3 (e) Section 1 of this Act provides funding for a state employee pension rate of 11.44 percent.
4 The components of the rate are 4.20 percent for the pension liability, 5.91 percent for retiree health
5 insurance costs, and 1.33 percent for the Post-Retirement Increase Fund.

6 (f) Section 1 of this Act provides funding for a judicial pension rate of 21.69 percent.

7 (g) Section 1 of this Act provides funding for a new State Police pension rate of 11.75 percent.

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

10 GF – General Fund

11 ASF – Appropriated Special Funds

12 NSF – Non-appropriated Special Funds

13 TFO – Trust Fund Operations

14 TFC – Trust Fund Capital

15 FTE – Full-Time Equivalent

16 (i) All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2003.

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

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

24 (i) The defined labor market survey for Fiscal Year 2004 shall be limited to those
25 governments and institutions of higher education as follows:

26 Delaware

Other Counties and Municipalities

Other States

27 New Castle County

Cecil County, Maryland

Maryland

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

(ii) The findings of the survey in Section 8(a) for Fiscal Year 2004 shall be calculated in the same manner as Fiscal Year 2003, using a comparable weighting formula and other components.

Effective July 1, 2003, 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
16	1	15,759*	18,982	22,778
17	2	16,249	20,311	24,373
18	3	17,390	21,737	26,084
19	4	18,602	23,253	27,904
20	5	19,908	24,885	29,862
21	6	21,301	26,626	31,951
22	7	22,789	28,486	34,183
23	8	24,386	30,482	36,578
24	9	26,094	32,618	39,142
25	10	27,921	34,901	41,881
26	11	29,873	37,341	44,809
27	12	31,965	39,956	47,947
28	13	34,203	42,754	51,305
29	14	36,594	45,742	54,890
30	15	39,158	48,948	58,738
31	16	41,902	52,377	62,852
32	17	44,834	56,042	67,250
33	18	47,970	59,962	71,954
34	19	51,328	64,160	76,992
35	20	54,925	68,656	82,387
36	21	58,767	73,459	88,151
37	22	62,881	78,601	94,321
38	23	67,284	84,105	100,926
39	24	71,997	89,996	107,995

1	25	77,034	96,292	115,550
2	26	82,426	103,032	123,638

3 * - Annual Salary in Whole Dollars.

4 **STATE OF DELAWARE PAY PLAN***

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

6	PAY	80% of	100% of	120% of
7	GRADE	Midpoint	Midpoint	Midpoint
8	1	16,198*	20,247	24,296
9	2	17,332	21,665	25,998
10	3	18,546	23,182	27,818
11	4	19,842	24,803	29,764
12	5	21,234	26,543	31,852
13	6	22,719	28,399	34,079
14	7	24,310	30,387	36,464
15	8	26,013	32,516	39,019
16	9	27,833	34,791	41,749
17	10	29,781	37,226	44,671
18	11	31,863	39,829	47,795
19	12	34,096	42,620	51,144
20	13	36,482	45,603	54,724
21	14	39,038	48,797	58,556
22	15	41,770	52,212	62,654
23	16	44,695	55,869	67,043
24	17	47,822	59,777	71,732
25	18	51,168	63,960	76,752
26	19	54,751	68,439	82,127
27	20	58,586	73,232	87,878
28	21	62,687	78,359	94,031
29	22	67,076	83,845	100,614
30	23	71,768	89,710	107,652
31	24	76,794	95,992	115,190
32	25	82,169	102,711	123,253
33	26	87,921	109,901	131,881

34 * - Annual Salary in Whole Dollars.

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

39	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
40	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	State Fire School	Training Administrator I
23	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

1 Transportation Management Center

2 Toll Corporals

3 Toll Sergeants

4 (iv) During the fiscal year ending June 30, 2004, the State Personnel Director may designate,
5 with the concurrence of the Budget Director and the Controller General, other appropriate
6 classes or groups of employees to work and be paid according to a standard work week of
7 40 hours. Such designation shall be based upon the operational necessity of agencies to
8 require employees to regularly and consistently work in excess of 37.5 hours per week
9 and upon the availability of any required funding.

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

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

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

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

20 (3) The Budget Director, the State Personnel Director and the Controller General shall
21 review the information provided in Sections 8(b)(1) and (2) and shall recommend
22 approval or disapproval for the classes for selective market compensation variations.

23 (4) Any such selective market variations which the State Personnel Director, the Budget
24 Director and the Controller General have determined to be warranted and have been
25 approved by the Joint Finance Committee, shall be designated to become effective July 1,
26 2003, provided that such variations have been processed as part of the regular budgetary
27 process and the funds for such changes shall be appropriated.

1 (5) The State Personnel Director shall establish criteria with the State Budget Director and the
2 Controller General to allow for selective market to be effective January 1, 2004. An
3 appointing authority may apply for selective market variation for job classes or job
4 families that are experiencing severe recruitment and retention issues for January 1, 2004.
5 Funds must be available within the agency budget to fund the selective market variation
6 until such time as the General Assembly appropriates such funds.

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

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

17 (i) The salary of employees in positions added to the selective market variation program
18 on or after July 1, 2003, whose salary in effect as of June 30, 2003, is below the
19 adjusted minimum salary for the assigned job classification shall be increased to the
20 adjusted minimum salary or an advanced starting salary recommended by the State
21 Personnel Director and the salary of employees whose current salary falls within the
22 adjusted salary range shall not be increased.

23 (ii) The salary of employees in positions added to the selective market variation program
24 before June 30, 2003, whose salary in effect as of June 30, 2002, is below the
25 adjusted minimum salary for the assigned job classification shall be increased to the
26 adjusted minimum salary or an advanced starting salary recommended by the State

1 Personnel Director and the salary of employees whose current salary falls within the
2 adjusted salary range shall not be increased.

3 (8) All classes assigned to selective market variation who have not met the criteria to qualify
4 for an adjustment for two consecutive years, shall have their midpoints reduced by seven
5 percent effective July 1, 2003. All classes whose selective market midpoint is not seven
6 percent higher than the midpoint of the regular merit State of Delaware payscale once the
7 general increase has been applied shall move back on to the State of Delaware Pay Plan.
8 The process by which job classes are removed from selective market variation to the
9 regular merit State of Delaware Pay Plan will not result in a reduction in salary for
10 current incumbents who will move from selective market variation to the regular merit
11 State of Delaware Pay Plan.

12 (9) Effective July 1, 2003, the shift differential rates paid to registered nurses in accordance
13 with the provisions of Merit Rule 5.1425 shall be the same amount in effect as of
14 June 30, 2000.

15 **(c) SALARY INCREASES FOR FISCAL YEAR 2004.**

16 The amount appropriated by Section 1 of this Act for salaries provides funds for maintaining the
17 June 30, 2003 salary rate of each State employee in existing State of Delaware Pay Plans, except as
18 otherwise provided in this section.

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

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

22 (b) negotiated, collective bargaining increases for Uniformed members of the Delaware
23 State Police and full-time and regular part-time non-merit Telecommunications
24 Specialists, Senior Telecommunications Specialist, Telecommunication Shift
25 Supervisors, Telecommunication Central Control Specialists, Senior
26 Telecommunications Central Control Specialists and Telecommunications Central

1 Control Shift Supervisors employed in the Communications Section of the Division
2 of State Police in the Department of Safety and Homeland Security, and

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

4 (2) The Competency Based Pay Plan shall continue in Fiscal Year 2004 as 71 Del. c. 354
5 §247.

6 (3) In Fiscal Year 2004, the salary plans approved for the Office of the Attorney General
7 and Public Defender shall continue as established.

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

17 (d) **MAINTENANCE REVIEWS.**

18 (1) Any such reclassifications/regrades which the State Personnel Director determines to be
19 warranted as a result of the classification maintenance reviews regularly scheduled by the
20 State Personnel Office shall be designated to become effective July 1, 2003, provided that
21 such reclassifications/regrades have been processed as part of the regular budgetary
22 process and the funds for such reclassifications/regrades have been appropriated.
23 Maintenance Review classification determination may be appealed to the Merit
24 Employee Relations Board in accordance with 29 Del. C. § 5915. Paygrade
25 determinations shall not be appealed.

26 (2) Any such title changes which the State Personnel Director determines to be warranted as
27 a result of a consolidation review shall be implemented as they are completed. A

1 consolidation review is for the specific purpose of combining current class titles and class
2 specifications that are in the same occupational area and require sufficiently similar
3 knowledge, skills, abilities and minimum qualifications. A consolidation review will not
4 impact the current levels of work and corresponding pay grades in a class series. It will
5 only effect the current title assigned to positions, the corresponding class specification,
6 levels of work and minimum qualifications will be written general in nature rather than
7 agency or program specific. Class specification and title changes as a result of
8 consolidation reviews shall not be appealed.

9 **(e) CRITICAL RECLASSIFICATIONS.**

10 The classification of any position whose salary is covered by the appropriations in Section 1 of
11 this Act, may be changed to be effective January 1, 2004, or July 1, 2004, if the requested change is
12 certified critical by the appointing authority; and approved by the State Personnel Director, Budget
13 Director and Controller General prior to the effective date. Critical reclassification requests and paygrade
14 determinations shall not be appealed to the Merit Employee Relations Board.

15 **(f) OTHER RECLASSIFICATIONS.**

16 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no
17 position shall be reclassified or regraded during the fiscal year ending June 30, 2004.

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

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

25 **(h) ADMINISTRATIVE REGULATIONS.**

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

1 (2) During the fiscal year ending June 30, 2004, paragraph 5.1100 of the Merit Rules for a
2 Merit System of Personnel Administration shall be null and void.

3 (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the
4 performance review prescribed by Office of State Personnel after applicable training by
5 the Office of State Personnel. A performance review shall be completed for employees
6 between January 1 and December 31, 2004.

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (2) Effective July 1, 2003, the State shall pay 66 percent of the annual salary rate for school
17 lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and
18 54.5 percent of salary rate for school lunch employees as set forth in the salary schedule
19 14 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for school
20 lunch employees shall be paid from local funds. The State shall pay other employment
21 costs for school lunch employees at the ratio of state supported salaries to total salaries,
22 provided for by this section for school lunch employees.

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

25 (4) Section 1 of this Act provides an amount for salaries and other employment costs for
26 Formula Employees in Public Education. Additional amounts are included in some
27 Block Grants and Pass Through Programs (95-03-00). Local school districts must

1 charge payroll for local share salary supplements and other employment costs and
2 fringe benefits simultaneously with state share charges. The amount of salary and other
3 employment costs that can be charged to state appropriations for any one-day period or
4 for any one individual cannot exceed the amount the individual is entitled to receive
5 based on the state salary schedules provided by this Act and 14 Del. C. c. 13, divided
6 by the number of pays the individual has chosen to schedule per year. The provisions
7 of this section do not apply to Division III - Equalization (Appropriation 0186) which
8 may be charged for local contractual obligations before local current operating funds
9 are used.

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

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

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

26 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds
27 appropriated by the State to employees with similar training and experience who serve in similar positions

1 in the Merit System. In the event that there are no similar positions in the Merit System, the State
2 Personnel Director shall establish an exempt position classification only for the purpose of assigning a
3 salary or wage rate to said position. On or before August 15, 2003, the State Personnel Director shall
4 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each
5 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall
6 show the statutory citation which authorizes the establishment of the exempt position(s). The State
7 Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and
8 the Controller General. No exempt employee shall be hired until an approved comparability has been
9 assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or
10 vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted
11 under Delaware Law shall become effective unless approved by the State Budget Director, State
12 Personnel Director and the Controller General. In order to permit the development of the comparability
13 list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions
14 and position classification questionnaires describing the duties and responsibilities of each of the
15 positions. The certification of comparability by the State Personnel Director shall not be withheld
16 unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class
17 and/or paygrade in the Merit System shall be paid in accordance with Sections 8(b) and (c) of this Act and
18 Merit System Rules 13.0110 and 5.0900 through 5.0931; no other salary increases shall be given to such
19 employees unless specifically authorized in this Act.

20 (b) The salary of employees whose salary in effect as of June 30, 2003, is below the minimum
21 salary of the assigned paygrade of the pay plan shall be raised to the minimum salary.

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

25 Section 10. (a) For the fiscal year ending June 30, 2004, the salaries displayed below represent
26 the salary effective on July 1, 2003.

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(01-01-01)	Representative	34.8	
4	(01-02-01)	Senator	34.8	
5	(02-01-00)	Chief Justice - Supreme Court	152.5	
6	(02-01-00)	Justice - Supreme Court	147.0	
7	(02-02-00)	Chancellor - Court of Chancery	145.3	
8	(02-02-00)	Vice Chancellor - Court of Chancery	140.2	
9	(02-03-00)	President Judge - Superior Court	145.3	
10	(02-03-00)	Associate Judge - Superior Court	140.2	
11	(02-03-00)	Commissioner- Superior Court	85.7	
12	(02-03-00)	New Castle County Prothonotary	57.2	
13	(02-03-00)	Kent County Prothonotary	50.7	
14	(02-03-00)	Sussex County Prothonotary	50.7	
15	(02-06-00)	Chief Judge - Court of Common Pleas	143.8	
16	(02-06-00)	Judge - Court of Common Pleas	136.5	
17	(02-06-00)	Commissioner - Court of Common Pleas	85.7	
18	(02-08-00)	Chief Judge - Family Court	145.3	
19	(02-08-00)	Associate Judge - Family Court	140.2	
20	(02-08-00)	Commissioner - Family Court	85.7	
21	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	100.5	
22	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	57.6	
23	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	59.6	
24	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	61.5	
25	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	107.9	
26	(02-18-00)	Public Guardian	60.0	
27	(02-18-00)	Executive Director - Violent Crimes Compensation		
28		Board		49.0

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-18-00)	Executive Director - Child Placement Review Board	54.2	
4	(10-01-01)	Governor	114.0	
5	(10-02-00)	Budget Director	113.4	
6	(10-02-08)	Director - SAC	79.2	
7	(10-03-01)	Director - Delaware Economic Development Office	106.0	
8	(10-04-00)	Personnel Director	106.0	
9	(10-07-01)	Executive Director - CJC	80.2	
10	(10-07-01)	Director – Domestic Violence Coordinating Council	59.0	
11	(10-07-02)	Executive Director - DELJIS	71.1	
12	(10-08-01)	Director - Delaware State Housing Authority		99.0
13	(11-00-00)	Chief Information Officer	133.6	
14	(12-01-01)	Lieutenant Governor	62.4	
15	(12-02-01)	Auditor	89.9	
16	(12-03-01)	Insurance Commissioner		89.9
17	(12-05-01)	State Treasurer	94.0	
18	(15-01-01)	Attorney General	116.7	
19	(15-01-01)	Chief Deputy Attorney General	110.0	
20	(15-02-01)	Public Defender	116.7	
21	(15-02-01)	Chief Deputy Public Defender	110.0	
22	(15-03-01)	Parole Board Chairman	55.0	
23	(20-01-00)	Secretary - State	106.0	
24	(20-02-00)	Director - Human Relations	63.2	
25	(20-03-00)	Director – Division of Archives	76.4	
26	(20-05-00)	Director - Corporations		96.4
27	(20-06-00)	Director - Historical and Cultural Affairs	79.4	
28	(20-07-00)	Director - Arts	69.6	

			General Funds	All Other Funds
1	Budget Unit	Line Item		
2				
3	(20-08-00)	State Librarian	75.2	
4	(20-15-00)	State Banking Commissioner		95.7
5	(25-01-00)	Secretary – Finance	113.4	
6	(25-05-00)	Director - Accounting	91.9	
7	(25-06-00)	Director – Revenue	106.9	
8	(25-07-00)	Director - State Lottery		90.3
9	(30-01-00)	Secretary - Administrative Services	98.8	
10	(30-01-00)	Director - Administration	78.1	
11	(30-01-00)	Executive Director - Public Employment Relations		
12		Board	67.8	
13	(30-03-00)	Public Advocate		72.8
14	(30-03-00)	Director - Public Service Commission		77.9
15	(30-03-00)	Director - Professional Regulation		75.6
16	(30-04-00)	Director – Support Services	25.7	49.9
17	(30-05-00)	Director - Facilities Management	83.4	
18	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	40.6	
19	(35-01-00)	Secretary - Health and Social Services	113.4	
20	(35-01-00)	Director - Management Services	88.3	9.9
21	(35-04-00)	Chief Medical Examiner	135.4	
22	(35-05-00)	Director - Public Health	141.6	
23	(35-06-00)	Director – Substance Abuse and Mental Health	121.8	
24	(35-07-00)	Director - Social Services	49.2	49.2
25	(35-08-00)	Director - Visually Impaired	69.4	
26	(35-09-00)	Director - Long-Term Care Residence Protection	78.9	
27	(35-10-00)	Director - Child Support Enforcement	26.0	52.8
28	(35-11-00)	Director – Developmental Disabilities Services	98.3	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(35-12-00)	Director - State Service Centers	78.9	
4	(35-12-00)	Director - Community and Volunteer Services	64.5	
5	(35-14-00)	Director - Services for Aging and Adults		
6		with Physical Disabilities	78.9	
7	(37-01-00)	Secretary - Services for Children,		
8		Youth and Their Families	106.0	
9	(37-01-00)	Director - Management Services	89.5	
10	(37-04-00)	Director - Child Mental Health Services	86.9	
11	(37-05-00)	Director - Youth Rehabilitative Services	89.5	
12	(37-06-00)	Director - Family Services	89.5	
13	(38-01-00)	Commissioner - Correction	113.4	
14	(38-01-00)	Bureau Chief - Management Services	81.4	
15	(38-04-00)	Bureau Chief - Prisons	98.3	
16	(38-06-00)	Bureau Chief - Community Corrections	93.6	
17	(40-01-00)	Secretary - Natural Resources and		
18		Environmental Control	106.0	
19	(40-01-00)	Deputy Secretary - Natural Resources		
20		and Environmental Control	78.4	
21	(40-01-00)	Director - Boiler Safety	54.5	
22	(40-05-00)	Director - Fish and Wildlife	42.1	42.1
23	(40-06-00)	Director - Parks and Recreation	85.0	
24	(40-07-00)	Director - Soil and Water Conservation	84.3	
25	(40-08-00)	Director - Water Resources	86.8	
26	(40-09-00)	Director - Air and Waste Management	86.8	
27	(45-01-00)	Secretary – Safety and Homeland Security	106.0	
28	(45-01-00)	Director - Del. Emergency Management Agency	34.9	34.9

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(45-03-00)	Commissioner – Alcoholic Beverage Control	98.8	
4	(45-04-00)	Director - Alcoholic Beverage		
5		Control and Tobacco Enforcement	70.0	
6	(45-06-00)	Superintendent - State Police	126.9	
7	(45-06-00)	Assistant Superintendent - State Police	116.4	
8	(55-01-01)	Secretary - Transportation		106.0
9	(55-01-01)	Chief Engineer		100.0
10	(55-02-00)	Director – Technology and Support Services		84.8
11	(55-03-01)	Director - Transportation Planning		100.0
12	(55-04-01)	Director – Operations and Maintenance		100.0
13	(55-06-01)	Director - Delaware Transit Corporation		100.0
14	(55-08-00)	Director – Transportation Solutions		100.0
15	(55-11-00)	Director - Motor Vehicles		83.7
16	(60-01-00)	Secretary - Labor	9.4	86.1
17	(60-06-00)	Director - Unemployment Insurance		81.8
18	(60-07-00)	Director - Industrial Affairs		81.8
19	(60-08-00)	Director - Vocational Rehabilitation		81.8
20	(60-09-00)	Director - Employment and Training	8.2	73.6
21	(65-01-00)	Secretary - Agriculture	98.8	
22	(65-01-00)	Deputy Secretary - Agriculture	73.3	
23	(70-01-01)	Commissioner - Elections	69.1	
24	(70-02-01)	Administrative Director - New Castle County Elections	65.4	
25	(70-02-01)	Deputy Administrative Director - New Castle		
26		County Elections	64.2	
27	(70-03-01)	Administrative Director - Kent County Elections	65.4	
28	(70-03-01)	Deputy Administrative Director - Kent County Elections	64.2	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
3	(70-04-01)	Administrative Director - Sussex County Elections	65.4	
4	(70-04-01)	Deputy Administrative Director - Sussex County Elections	64.2	
5	(75-01-01)	State Fire Marshal	46.5	23.0
6	(75-02-01)	Director - State Fire School	69.5	
7	(76-01-01)	Adjutant General	91.8	
8	(95-01-00)	Secretary of Education	133.6	
9	(95-01-00)	Deputy Secretary of Education	109.5	
10	(95-06-00)	Executive Secretary - Advisory Council on Career		
11		and Vocational Education	86.6	
12	(95-08-01)	Executive Director - Higher Education Commission	71.9	

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

15 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing
16 authority shall submit a request with appropriate justification to the State Personnel
17 Director to establish the salary commensurate with the qualifications of the proposed
18 incumbent and within the position's evaluated pay range. In reviewing requests made
19 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the
20 request and shall solicit the advice and written consent of the Budget Director and the
21 Controller General in the event the salary is higher than the amount listed in Section
22 10(a).

23 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional
24 opportunity to become a division level manager shall be eligible for a five percent
25 promotional salary increase. This eligibility shall be conditioned on a determination that
26 the duties and responsibilities of the division level manager position are at least one
27 paygrade higher than the position proposed to be vacated based on a comparison of
28 equivalent value. For the purpose of this subsection, the equivalent value of one

1 paygrade is defined as seven percent difference in the constant fiscal year dollar value of
2 the evaluated pay range midpoint of the division level manager position compared to the
3 position that the employee is vacating. The appointing authority may request a
4 promotional increase in excess of five percent based upon the qualifications of the
5 selected candidate. The request and appropriate justification shall be submitted to the
6 State Personnel Director. In reviewing requests made pursuant to this paragraph, the
7 State Personnel Director shall provide an analysis of the request and shall solicit the
8 advice and written consent of the Budget Director and the Controller General.

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

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

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

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

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

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

(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.

July 1, 2003

<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</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	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(30-03-00)	Board Members - Professional Regulation		71.5
4	(30-03-00)	Board Members - Public Service Commission		130.0
5	(30-05-00)	Board Members - Architectural Accessibility Board	2.3	
6	(38-04-00)	Board Members - Institutional Classification	12.0	
7	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
8	(60-07-00)	Board Members - Industrial Accident Board		153.0
9	(65-01-05)	Harness Racing Commission		13.6
10	(65-01-10)	Thoroughbred Racing Commission		13.6
11	(65-01-12)	Nutrient Management Commission	22.4	
12	(70-02-01)	Board Members - New Castle County Elections	21.5	
13	(70-03-01)	Board Members - Kent County Elections	13.0	
14	(70-04-01)	Board Members - Sussex County Elections	13.0	
15	(95-01-01)	Board Members - State Board of Education	16.8	
16	(95-08-01)	Higher Education Commissioners	2.4	

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

21 (f) Amend 29 Del. C. § 710 by deleting subsection (a) in its entirety and substituting in lieu
22 thereof the following:

23 “(a) The Lieutenant Governor shall receive an annual salary of \$62,400 for serving as
24 President of the Senate, of which \$10,200 shall be for performing other duties.”

25 Section 11. Any employee eligible for termination pay, whose regular pay was from special funds,
26 shall have termination pay paid from special funds. If the employee's regular pay is from both General
27 Funds and special funds, termination pay shall be on a pro rata basis. The intent of this Section is that if

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

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

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

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

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

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

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

23 Section 16. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel
24 Director, in accordance with the Budget Director and the Controller General, shall have the authority to
25 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the
26 mutual benefit of the State as an employer and its affected employees in the Department of Health and
27 Social Services, the Department of Services for Children Youth and Their Families, the Department of

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

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

14 Section 18. All agencies receiving an Energy appropriation in Section 1 of this Act must work
15 through Department of Administrative Services and the Executive Department, Office of the Budget to
16 attain any contract(s) dealing with the retail wheeling of natural gas or electricity. This includes agencies
17 01 through 95 with the exception of the University of Delaware.

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

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

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

7 Section 20. Amend 14 Del. C. §3484 by adding a new subsection (f) to read as follows: “(f)
8 Members of the Board overseeing the Delaware College Investment Plan may be reimbursed for mileage
9 expenses incident to their duties.”

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

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

1 Section 22. 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 23. (a) For Fiscal Year 2004, Merit Rule 5.0711 shall be amended to authorize the
7 appointing authority to approve a starting rate or promotional rate up to 85 percent of midpoint where the
8 applicant's qualifications are clearly over and above those required by the minimum for the class
9 specification.

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

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

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

25 Section 26. (a) For the fiscal year ending June 30, 2003, any sums in the following accounts
26 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2004.

1	Fiscal Year	Account	
2	<u>Appropriation</u>	<u>Codes</u>	<u>Remarks</u>
3	2002	(01-01-01-01-50)	Contractual
4	2002	(01-01-01-01-60)	Supplies
5	2002	(01-01-01-01-81)	Committee Expenses
6	2000	(01-05-01-01-40)	Travel
7	2002	(01-05-01-01-41)	Legislative Travel
8	2000/01	(01-05-01-01-50)	Contractual
9	2001/02	(01-05-01-01-60)	Supplies
10	1998	(01-05-01-01-85)	Delegation Expense
11	2001	(01-08-01-01-85)	TriCent Committee
12	2001	(01-08-01-01-98)	One-Time
13	2002	(01-08-02-01-50)	Contractual
14	2001/2002	(01-08-02-01-60)	Supplies
15	2001/2002	(01-08-02-01-70)	Capital
16	1997/98/99	(01-08-02-01-80)	Senior Center Reporting
17	2001/02	(01-08-02-01-81)	Contingency - Legislative
18	2002	(01-08-02-01-82)	Family Law Commission
19	2002	(01-08-02-01-85)	Formula Update
20	1998/99/00/01/02	(01-08-02-01-86)	Juvenile Detention Oversight Committee
21	1996	(01-08-02-01-87)	Contingency – Legal
22	2001/02	(01-08-02-01-90)	Neighborhood Schools
23	2001/02	(01-08-02-01-91)	Clean Air
24	2001	(01-08-02-01-92)	Redistricting
25	2001/02	(01-08-02-01-97)	Contingency - Intern
26	1999/01	(01-08-02-01-98)	One-Time
27	2002	(01-08-02-02-00)	TriCent Committee
28	2002	(01-08-02-09-85)	Senior Center Projects

1	2002	(01-08-02-09-87)	Fox Point Park
2	2003	(02-13-10-01-98)	Justice of the Peace Court 1 - Moving
3	2001	(10-02-01-01-97)	PHRST
4	2000/01	(10-02-01-01-82)	Computer One-Time
5	2001/03	(10-02-01-01-85)	Data Development
6	2002/03	(10-02-01-01-91)	Budget Automation
7	1998	(10-02-01-01-98)	One-Time (Automated Release Date Project)
8	2000	(10-02-01-01-99)	Technology
9	1997	(10-02-01-02-01)	Infrastructure
10	2002/03	(10-02-01-02-02)	Evaluation Project
11	2001	(10-02-01-02-04)	Security
12	2000/01/02/03	(10-02-04-01-85)	Legal Fees
13	2001/02/03	(10-02-04-01-89)	Salary/OEC
14	2000	(10-02-04-01-99)	Technology Initiative
15	2003	(10-02-04-02-55)	Livable Delaware
16	2003	(10-02-06-01-96)	Contingency Fund
17	2001	(10-02-08-01-98)	SENTAC Study
18	2001	(10-03-01-01-87)	Welfare Reform
19	2001/02	(10-03-01-01-88)	Workplace Literacy
20	2002/03	(10-04-02-01-81)	Employee Recognition
21	2003	(10-04-02-01-84)	Blood Bank
22	2003	(10-04-02-01-87)	School-to-Work
23	2001/02/03	(10-04-04-01-99)	First Quality
24	2002/03	(10-04-05-01-83)	Self Insurance
25	1995/97	(10-05-01-01-80)	Pilot Programs
26	1999/00/01	(10-05-02-01-80)	Operations
27	2003	(10-07-01-01-88)	Grants 02

1	2000	(10-07-02-01-96)	Technology
2	1997	(11-03-02-01-99)	Technology Initiative
3	2003	(11-03-04-01-97)	Disaster Recovery
4	2002	(12-01-01-01-98)	One-Time
5	2002	(12-03-01-01-95)	First Quality
6	2001	(12-05-01-01-96)	First Quality
7	1995	(20-01-01-01-82)	Millsboro Historical Society
8	2003	(20-01-02-01-98)	One-Time
9	1998/02/03	(20-03-01-01-80)	Historic Markers
10	2002/03	(20-03-01-01-81)	Document Conservation
11	2002/03	(20-03-01-01-82)	Historical Markers
12	1997/99/00/01/02/03	(20-03-01-01-98)	One-Time
13	2003	(20-06-01-01-98)	One-Time
14	2003	(20-06-04-01-81)	Museum Conservation
15	2003	(20-06-04-01-83)	Collections
16	2003	(20-06-04-01-85)	Art Object Refurbishment
17	2003	(20-06-04-01-84)	Operations
18	2002/03	(20-06-04-01-98)	One-Time
19	2003	(20-07-01-01-80)	Disadvantaged Arts
20	2002/03	(20-07-01-01-82)	Arts Grants
21	2001/02/03	(20-08-01-01-80)	Library Standards
22	2003	(20-08-01-01-81)	Delaware Electronic Library
23	2002/03	(20-08-01-01-86)	DeINET
24	1999/2001	(30-05-10-01-95)	Asbestos/UST
25	2001/02	(30-05-10-01-98)	One-Time
26	2003	(35-01-20-01-83)	EBT
27	2001/03	(35-01-20-01-97)	Development

1	2002/03	(35-05-20-01-80)	School Based Heath Clinics
2	2002/03	(35-05-20-01-82)	Immunizations
3	2003	(35-05-20-01-83)	Hepatitis B
4	2002	(35-07-01-01-89)	Medicaid Non-State
5	2000	(35-07-01-01-97)	Medicaid Management Information System
6	2002	(35-07-01-01-97)	Technology
7	2001	(35-07-01-01-98)	Staff Development One-Time
8	1997	(35-07-01-01-99)	DCIS
9	2002	(35-11-20-02-00)	Facility Repair
10	2002	(35-11-30-01-80)	Community Placements
11	2002	(35-11-30-01-81)	Purchase of Care
12	2001/02	(35-11-30-01-82)	Stockley Transition
13	2002/03	(35-12-10-01-84)	Kinship Care
14	2002	(37-01-15-01-96)	First Quality
15	2002	(37-01-50-01-81)	MIS Development
16	2002/03	(38-01-10-01-99)	MIS
17	2002/03	(38-01-30-01-80)	Medical
18	2003	(38-01-31-01-80)	Drug Treatment
19	2002/03	(38-01-40-01-99)	Maintenance and Restoration
20	2001	(40-01-01-01-88)	CZM Administration
21	2002/03	(40-01-01-01-97)	MCI/Equipment
22	2002	(40-01-01-02-01)	First Quality
23	2002	(40-05-04-01-98)	One-Time
24	2002	(40-08-01-01-80)	Delaware Estuary
25	2001	(40-08-02-01-97)	First Quality
26	1998	(40-08-05-01-97)	Permitting Project
27	2002	(40-08-07-01-81)	Whole Basin TMDL

1	2002	(40-09-03-01-83)	Recycle Commission
2	2001	(40-09-03-01-84)	First Quality
3	2003	(45-01-01-01-86)	Real Time Crime
4	1986	(45-01-01-03-81)	Hazardous Waste Revolving Fund
5	2001/02	(45-01-30-01-98)	Assistance Relief Fund
6	2001	(45-04-10-01-80)	Tobacco Enforcement
7	2003	(60-09-20-01-82)	Summer Youth Program
8	2002	(65-01-12-01-81)	Nutrient Management Contingency
9	2001/02	(65-01-12-01-82)	Education – Certification
10	2003	(70-01-01-01-50)	Contractual
11	2002/03	(70-01-01-01-81)	School Elections
12	2002/03	(70-01-01-01-83)	Voter Purge
13	2000	(70-01-01-01-98)	Voter Education Initiative
14	2003	(70-01-01-01-98)	One-Time
15	2001	(70-01-01-02-00)	Reapportionment
16	2002	(70-01-01-02-01)	Technology Development
17	2003	(70-02-01-01-98)	One-Time
18	2001	(70-02-01-02-00)	Reapportionment/Address Verification
19	2001	(70-03-01-02-00)	Reapportionment
20	1997	(70-04-01-01-98)	One-Time
21	2001	(70-04-01-02-00)	Reapportionment
22	2002	(75-01-01-01-97)	Data Development
23	2001	(75-02-01-01-96)	EMT Training
24	2001	(75-02-01-01-98)	One-Time
25	2003	(75-03-01-01-83)	Background Checks
26	2003	(95-01-01-01-89)	State Board of Education
27	2002/03	(95-01-01-01-93)	Building Improvement

1	2003	(95-01-01-01-94)	Educator Certification and Development
2	2001/02	(95-01-01-01-98)	One-Time
3	2002/03	(95-01-01-02-00)	Standards and Assessment
4	2003	(95-01-01-02-02)	DSTP – On Grade Assessment
5	2003	(95-01-01-02-03)	Pupil Accounting
6	2003	(95-01-01-02-06)	Americorps Kickstart Program
7	2003	(95-01-01-02-12)	Professional Standards Board
8	2003	(95-01-01-02-27)	DSTP – Off Grade Assessment
9	2003	(95-01-01-02-28)	DSTP – Retest/EOS/AI
10	2002/03	(95-01-01-02-30)	Educator Accountability
11	2003	(95-01-01-02-81)	DSTP Common Costs
12	2001	(95-02-02-02-02)	Educator Accountability
13	2002/03	(95-02-02-02-04)	School Building Awards
14	2002/03	(95-03-10-01-91)	Professional Development
15	2003	(95-03-15-01-27)	Smithsonian Project
16	2003	(95-03-15-01-31)	Early Education Center
17	2003	(95-03-20-01-27)	Student Discipline Program
18	2003	(95-03-20-01-53)	3-5 Program
19	2003	(95-03-20-01-82)	Early Childhood Assistance
20	2003	(95-03-20-01-90)	Prison Education
21	1999/2002/03	(95-03-20-01-98)	One-Time
22	2002/03	(95-04-01-01-90)	Public School Transportation
23	2003	(95-07-01-01-80)	Operations
24	2003	(95-08-01-01-83)	Scholarship
25	1998	(95-08-01-01-84)	DHEC
26	2000/02/03	(95-08-01-01-85)	Ferguson DSTP Scholarship
27	2000/01/02	(95-08-01-01-88)	Physician Loan

1	2002/03	(95-08-01-01-89)	Legislative Essay
2	1997	(95-08-01-09-75)	GIA Section 1
3	1998	(95-08-01-09-77)	GIA Tuition
4	1994	(95-13-00-01-48)	Teacher in Space
5	2002	(95-18-00-02-41)	Construction Market Pressure
6	2002	(95-29-00-02-41)	Construction Market Pressure

7 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
8 not be subject to reversion until September 30, 2004: Student Mentoring (appropriation 0207), Discipline
9 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development
10 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional
11 Cadre (appropriation 0206). Program expenses may not be incurred subsequent to the start of the regular
12 2004-2005 school year.

13 (c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be
14 subject to reversion until December 31, 2004.

15 (d) For the Fiscal Year ending June 30, 2003, any sums in Fiscal Year 2003 Appropriation 0213
16 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to
17 reversion until June 30, 2004.

18 (e) For the fiscal year ending June 30, 2003, any sums for Fiscal Year 2003 Division II – All
19 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation
20 0265), Division II – Energy (Appropriation 0159), Division II – Equalization (Appropriation 0186),
21 Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards
22 (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School
23 Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for
24 the period of one fiscal year.

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

1 (g) Section 1 of this Act provides funds for the University of Delaware (90-01-01) for
2 MCI/Equipment. These funds shall not be subject to reversion until June 30, 2006.

3 (h) Section 1 of this Act provides funds for Delaware State University, Operations (90-03-00) for
4 MCI/Equipment. These funds shall not be subject to reversion until June 30, 2006.

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

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

16 (ii) For fiscal year ending June 30, 2003, any authorizations in the following accounts shall
17 remain as continuing appropriations and shall not be subject to deauthorization until
18 June 30, 2004:

<u>Fiscal Year</u>	<u>Account</u>	<u>Remarks</u>
<u>Appropriation</u>	<u>Code</u>	
2002/03	(55-01-01-68-00)	Operations/Capital
2003	(55-01-01-68-05)	Salary Contingency
2003	(55-01-01-68-06)	Environmental Contingency
2003	(55-01-01-68-15)	Personnel Costs
2001/02/03	(55-01-02-68-00)	Operations/Capital
2003	(55-01-02-68-15)	Personnel Costs
2002/03	(55-01-03-68-00)	Operations/Capital
2003	(55-01-03-68-15)	Personnel Costs

1	2002/03	(55-02-01-68-01)	Travel
2	2000/02/03	(55-02-01-68-02)	Contractual/Supplies
3	2002/03	(55-02-01-68-03)	Energy
4	2002/03	(55-02-01-68-04)	Capital Outlay
5	2003	(55-02-01-68-15)	Personnel Costs
6	2000 /01/02/03	(55-03-01-68-00)	Operations/Capital
7	2003	(55-03-01-68-15)	Personnel Costs
8	2002/03	(55-04-01-68-00)	Operations/Capital
9	2003	(55-04-01-68-15)	Personnel Costs
10	2002	(55-04-40-68-00)	Operations/Capital
11	2003	(55-04-40-68-15)	Personnel Costs
12	2001/02/03	(55-04-50-68-02)	Contractual/Supplies
13	2001/02/03	(55-04-50-68-03)	Energy
14	2002/03	(55-04-50-68-04)	Capital Outlay
15	2003	(55-04-50-68-15)	Personnel Costs
16	2001/02/03	(55-04-60-68-00)	Operations/Capital
17	2003	(55-04-60-68-15)	Personnel Costs
18	1999/00/01/02/03	(55-04-70-68-02)	Contractual/Supplies
19	2002/03	(55-04-70-68-03)	Energy
20	2001/02/03	(55-04-70-68-04)	Capital Outlay
21	2003	(55-04-70-68-05)	Storm Contingency
22	2003	(55-04-70-68-15)	Personnel Costs
23	2002/03	(55-04-90-68-01)	Travel
24	2001/02/03	(55-04-90-68-02)	Contractual/Supplies
25	2002/03	(55-04-90-68-03)	Energy
26	2002/03	(55-04-90-68-04)	Capital Outlay
27	2002/03	(55-04-90-68-15)	Personnel Costs

1	2002/03	(55-06-01-85-70)	Transit Administration
2	2003	(55-06-01-85-71)	Transit Ops Plng/Cust Serv
3	2002/03	(55-06-01-85-72)	Transit Operations
4	1987	(55-06-01-85-80)	DTA Operations
5	2003	(55-06-01-85-81)	Newark Transportation
6	2003	(55-06-01-85-83)	Kent & Sussex
7	2003	(55-06-01-85-89)	Taxi Service
8	2000/01/02/03	(55-07-10-68-00)	Operations/Capital
9	2003	(55-07-10-68-15)	Personnel Costs
10	1995	(55-11-10-01-99)	Anti-Theft Project

11 Section 27. Notwithstanding any state law to the contrary, State agencies may be assessed and
12 shall pay the Partners in Procurement Project “Savings Recovery” charge initiated in Fiscal Year 2003.
13 Such payments are considered allowable charges to all sources of state funding; sources include General
14 Fund, Appropriated Special Fund, Non-appropriated Special Fund, Bond Fund, Federal Fund and
15 Transportation Trust Fund. The “Savings Recovery” charge shall be allocated proportionately to the
16 same final source(s) of funding as the contract payments(s) upon which the “Savings Recovery” charge
17 was based.

TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 28. (a) Section 1 of this Act includes Appropriated Special Funds of \$26,742.6 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

\$ 500.0	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

\$ 148.8	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

\$9,623.7	Tobacco prevention through Community Based organizations including \$110.0 for Department of Services for Children, Youth, and their Families
169.0	for Personnel Costs
100.0	Research and testing regimens of detecting lesser known illnesses
40.0	Delaware Breast Cancer Collation
500.0	Disease Cost Containment
1,297.1	New Nurse Development

(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 \$7,500.5 Prescription Drug Program

3 1,485.0 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

6 988.7 Increase Medicaid eligibility for pregnant women/infants to 200 percent of
7 poverty, attendant care and Breast/Cervical cancer treatment.

8 1,091.3 SSI Supplement

9 790.0 Legal Non-Citizen Health Care

10 (35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities

11 \$ 351.2 Assisted Living

12 (45-04-10) Public Safety – Alcoholic Beverage Control

13 \$ 499.0 3.0 FTE Agents and 1.0 FTE Clerical for Enhanced Enforcement

14 (95-01-01) Public Education – State Board of Education and Department of Education

15 \$ 77.7 1.0 ASF FTE School Health Coordinator for statewide training

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

19 70.0 Pilot Life Skills Training Program or other research-based programs

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

26 (b) Effective June 15, 2003, all remaining unallocated funds shall be invested by the Cash
27 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the

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

LEGISLATIVE

1
2 Section 29. Of the total positions authorized in Section 1 of this Act for the Division of Research
3 (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall
4 be an exempt position and shall report to the Director.

5 Section 30. Section 1 of this Act provides an appropriation to the Office of the Controller General
6 (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative
7 Committees for professional staff assistance shall be submitted to the Legislative Council for approval or
8 disapproval. Approvals for professional staff assistance shall be allowed within the limits of the
9 appropriation and as provided by guidelines established by the Legislative Council.

10 Section 31. Section 1 of this Act provides an appropriation to the Office of the Controller
11 General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and
12 committees of either the House of Representatives or the Senate for travel expenses, meeting expenses,
13 contractual services and any other expenses shall be submitted to the Legislative Council for
14 consideration.

15 Section 32. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the
17 Legislative Council as defined in 29 Del. C. § 1110(e).

18 Section 33. Section 1 of this Act makes an appropriation to the Office of the Controller General
19 (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be
20 approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising
21 from planning for and implementation of neighborhood schools.

JUDICIAL

1
2 Section 34. Section 1 of this Act contains position authorizations and associated appropriations
3 to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in
4 the following courts as required by caseload and permitted by staffing:

5 J.P. Court #2 (Lewes) 10 eight-hour shifts per week

6 J.P. Court #4 (Seaford) 10 eight-hour shifts per week

7 J.P. Court #10 (Prices Corner) 12 eight-hour shifts per week

8 J.P. Court #15 (Claymont) 10 eight-hour shifts per week

9 J.P. Court #20 (City of Wilmington) 21 eight-hour shifts per week

10 Section 35. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-
11 00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the
12 Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an
13 amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office.
14 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a
15 portion of the fines and fees collected from receivables inherited from the former City of Wilmington
16 Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court
17 Clerks and one Fiscal Administrative Officer assigned to collect these receivables. Adjustments to the
18 Appropriated Special Fund spending authority for these courts may be made upon the concurrence and
19 approval of the Budget Director and the Controller General.

20 Section 36. Notwithstanding any other provisions of the Delaware Code, \$424.8 ASF from the
21 Victim Compensation Fund shall be transferred to the Victim Offender Mediation Program appropriation
22 in the Office of the State Court Administrator (02-17-01) to support Victim Offender Mediation
23 Programs. The Victim Offender Mediation Committee will determine which programs are to be awarded
24 funds from this appropriation.

25 Section 37. Upon the approval of a plan submitted to the Budget Director, Controller General
26 and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer
27 positions from individual courts to the Administrative Office of the Courts for the purpose of centralizing

1 administrative functions for operations in the New Castle County Court House. Notwithstanding any
2 other provisions of this Act, or the Delaware Code, positions and funding may be transferred from
3 Supreme Court (02-01-00), Court of Chancery (02-02-00), Superior Court (02-03-00), Court of Common
4 Pleas (02-06-00) and Family Court (02-08-00) to the Administrative Office of the Courts, Office of the
5 State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court
6 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information
7 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle
8 County may be considered for transfer under this section. In the cases where Merit System positions are
9 transferred, the incumbents shall retain their Merit System status.

EXECUTIVE

Section 38. (a) Section 1 of this Act appropriates \$1,900.0 to the Office of the Budget (10-02-01) for Technology Department. For Fiscal Year 2004 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>
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Executive

Office of State Personnel

State Payroll System Upgrade

Other Elective

Auditor of Accounts

Audit Tracking System

Safety and Homeland Security

Special Investigation

Enforcer Maintenance

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

(i) needs analysis;

(ii) business process to be impacted/re-engineered;

(iii) risk assessment;

(iv) stakeholder impact assessment;

1 (v) cost-benefit analysis;

2 (vi) an analysis of the total cost of ownership which includes costs incurred during all phases
3 of the development and operational life cycles.

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

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

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

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

24 (f) In no case shall funds appropriated in Section 1 of this Act be used to employ data or work
25 processing professionals in support of current or proposed information technology projects with the
26 express written approval of the Budget Director.

1 (g) For Fiscal Year 2004, the project identified as “Safety and Homeland Security, State
2 Police—Enforcer Maintenance” in Subsection (a) shall only become eligible for funds through this
3 Section if other sources of funding are unavailable. Safety and Homeland Security, State Police is
4 strongly encouraged to solicit all potential sources including federal grants.

5 Section 39. All agencies are directed to remit payment for services rendered by the Department
6 of Technology and Information within 30 days of receipt of invoice. Services may include, but are not
7 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional
8 services, and data processing services.

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

16 Section 40. The General Assembly finds that the establishment of the federal Temporary Aid to
17 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases
18 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve
19 Account for Children’s Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall
20 be available to mitigate to the extent possible, projected deficits in TANF supported programs within
21 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall
22 require the approval of the Budget Director and Controller General.

23 Section 41. The amount appropriated to the Office of the Budget, Contingency and One-Time
24 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of
25 fringe benefits, and other obligations except coding errors by a school district which require adjustment of
26 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in
27 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 42. For Fiscal Year 2004, 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 Section 43. Section 1 of this Act proposed a position complement reduction. The complement
18 reduction will be the result of a review conducted by a committee with representatives from the Budget
19 Office, Controller General's Office and the State Personnel Office. The committee will examine vacancies
20 across all agencies of state government including the Department of Education, Other Elective offices, and
21 the Legislative and Judicial Branches. This section shall not apply to the school districts or public
22 education. Recommendations shall be provided to the Co-Chairs of the Joint Finance Committee and the
23 Governor no later than May 1, 2003.

24 Section 44. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies
25 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used
26 to make adjustments in the amount of state special fund appropriations in the event additional state special

1 funds are received which were not previously anticipated. Such adjustments shall be made in accordance
2 with the approval of the Budget Director and the Controller General.

3 Section 45. Section 1 of this Act provides an appropriation to Office of the Budget,
4 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time
5 Appropriations in the amount of \$3,115.8 shall be non-recurring expenditure items. The Budget Director
6 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify
7 the line item, object code and, for all practical purposes, complete and separate accountability for each
8 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and
9 the Controller General approvals. Any one-time appropriation for computer hardware, software and
10 telecommunications, which contemplates the development of computer-related systems, shall be
11 transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01).
12 The expenditure of computer or computer related funds shall be subject to the restrictions of the
13 Development Fund.

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

16 Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items
17 (10-02-04), are subject to the following terms and conditions:

18	Account		Fiscal Year
19	Codes	Remarks	Appropriation
20	(11-03-04)	Mainframe Upgrade	\$1,251.0
21			
22	(20-03-01)	Bill of Rights Exhibit	\$176.0
23			
24	(38-04-03)	Radios for Corectional Officers/Corporals at "B" Building	\$8.8
25			
26	(45-06-09)	Replacement for Vests	\$80.0
27			
28	(65-01-01)	Crop Insurance	\$600.0
29			
30	(70-01-01	2004 Presidential Primary	\$219.9
31	(70-02-01)	New Castle County – 2004 Presidential Primary	\$459.1
32	(70-03-01)	Kent County – 2004 Presidential Primary	\$201.8
33	(70-04-01)	Sussex County – 2004 Presidential Primary	\$119.2
34			

1 Section 46. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the
2 Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This
3 position shall be exempt from the Merit System until such time as the current incumbent vacates the
4 position, at which time the position shall be classified by the Director of State Personnel in accordance
5 with the Merit System and 29 Del. C. c. 59.

6 Section 47. The Statistical Analysis Center (10-02-08) shall submit an annual project schedule
7 detailing the staff workload and time allocation by July 15. This schedule shall be reviewed by the
8 Criminal Justice Council and approved by the Budget Director and the Controller General. No changes
9 shall be made to the work schedule without the approval of the Budget Director.

10 Section 48. Notwithstanding the provisions of any other law, for the fiscal year ending
11 June 30, 2004 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall
12 to the extent of such interest earnings, be used in the following order and manner, not to exceed the
13 amounts so noted:

14 (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic
15 Development Office, as determined by the Director of the Delaware Economic
16 Development Office.

17 (ii) The second \$125.0 shall be used for the general operating expenses of the economic
18 development trade office in Taiwan.

19 (iii) The third \$350.0 shall be used for the general operating expenses of the Delaware Small
20 Business Development Center.

21 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program
22 within the Delaware Economic Development Authority (10-03-03). It is the intent of the
23 General Assembly that these funds shall be used together with non-state contributions to
24 the Delaware Business Marketing Program. Non-state contributions may be made in cash,
25 or in-kind. Non-state cash contributions shall be deposited in a special fund for business
26 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued
27 at their fair market value and recorded in records maintained by the Delaware Economic

1 Development Authority in connection with the Delaware Business Marketing Program.
2 Expenditures of the program shall be divided between non-state contributions and state
3 funds for any fiscal year's appropriations such that non-state contributions are not less than
4 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to
5 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-
6 kind contributions. These funds shall not be used for hiring full-time employees. On or
7 before April 1, 2004, the Director of the Delaware Economic Development Office shall
8 provide to the Budget Director and the Controller General a report on the Delaware
9 Business Marketing Program. The report shall include an itemized list of non-state cash
10 and in-kind contributions received, total expenditures and an assessment of the program to
11 date.

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

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

18 Section 49. The Delaware Economic Development Office, Office of the Director (10-03-01) will
19 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.
20 Funding for this grant shall be maintained at current levels.

21 Section 50. Section 1 of this Act includes a General Fund appropriation for Contractual Services
22 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual
23 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General
24 Assembly through the fiscal year ending June 30, 2004.

25 Section 51. Section 1 of this Act appropriates \$2,014.1 ASF to the Delaware Tourism Office (10-
26 03-02). The monthly transfer of ASF from the Public Accommodations Tax to the Delaware Tourism
27 Office shall be applied in the following order: Funds received by the Delaware Tourism Office shall be

1 applied according to a proportional allocation based on the total amount budgeted for each line (with the
2 exception of Personnel Costs in Section 1 of this Act). Funds for other organizations shall be payable by
3 the Delaware Tourism Office in quarterly installments. The first quarterly payment shall be disbursed
4 after the September ASF are received or as otherwise approved by the Budget Office and the Controller
5 General. Notwithstanding the preceding, the Delaware Tourism Office shall not distribute by application
6 of the foregoing formula more than the amount of the ASF authorization set forth in Section 1 of this Act
7 as designated for any person or entity other than the Delaware Tourism Office.

8 Section 52. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
9 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a
10 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.
11 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related
12 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory
13 Board shall develop rules and regulations for the application and award of the grants and matching grants.
14 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by
15 April 1, 2004, detailing the usage of the funds herein authorized. Said report shall also contain an
16 assessment of the effectiveness of the programs in increasing tourism throng. If subsequent to the
17 enactment of this Act, Public Accommodations revenue should prove greater than the budgeted amount of
18 Fiscal Year 2004, the first \$50.0 ASF shall be used to restore full funding for the Matching Grants and
19 Grant appropriation to \$250.0 ASF. In this event, the Matching Grant portion of the distribution shall be
20 \$200.0 ASF and the Grant portion shall be \$50.0 ASF.

21 Section 53. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism
22 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as
23 contained in Section 1 at any time during Fiscal Year 2004, the Budget Director and Controller General
24 are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost
25 line.

26 Section 54. Of the Appropriated Special Funds allocated to the Delaware Tourism Office

1 (10-03-02) pursuant to 30 Del. C. §6102(b) contained in Section 1 of this Act, \$200.0 ASF shall be used
2 to fund a grant program(s) to develop tourism and market Delaware as a destination. Funds awarded as
3 either grants or matching grants shall not be used for overhead or personnel-related costs by the recipient
4 entities. The Delaware Tourism Office, in cooperation with the Governor's Tourism Advisory Board,
5 shall develop rules and regulations for the application and award of the grants. The Delaware Tourism
6 Office shall provide the Controller General and Budget Director with a report by April 1 of each fiscal
7 year, detailing the usage of the funds herein authorized.

8 Section 55. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
9 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the
10 Kalmar Nyckel. During the period beginning July 1, 2003, and ending on June 30, 2004, the State of
11 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be
12 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or
13 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety
14 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall
15 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on
16 behalf of the State of Delaware and the Riverfront Development Corporation.

17 Section 56. Any other statutory provision notwithstanding, any change to the Merit Rules
18 required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State
19 Personnel.

20 Section 57. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-
21 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall
22 be Human Resource Officers who will work on personnel issues for the Department of Transportation.
23 The source of funding for these positions shall be the Department of Transportation, Technology and
24 Support Services (55-02-00) and that agency shall reimburse the Office of State Personnel quarterly for
25 all Personnel Costs and Other Employee Costs associated with these two positions.

26 Section 58. The State Employees Pension Benefits Review Committee will continue to review
27 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the

1 benefit structure of the various state pension systems for the purpose of evaluating current pension plan
2 benefits and recommending changes.

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

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

10 Section 59. Whenever the annual valuation of the market value of the assets of the Special
11 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special
12 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20
13 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

14 Section 60. The Board of Pension Trustees may allocate the pension/health insurance monies
15 received from the State during any month to ensure that funds are available to pay health insurance
16 premiums for retirees in each month.

17 Section 61. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of
18 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental
19 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental
20 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

21 Section 62. Section 1 of this Act appropriates \$2,047.5 to the Delaware Institute of Medical
22 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

23	Jefferson Medical College	\$1,000.0
24	Philadelphia School of Osteopathic Medicine	237.5
25	University of Delaware	50.0
26	Christiana Care Health System	200.0
27	Scholarships/Loans	460.0

1	Loan Repayment	<u>100.0</u>
2		\$2,047.5

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

5 Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial
6 assistance for students attending the Jefferson Medical College and \$60.0 is to be used for students
7 attending Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for
8 restructuring grant/loan program in effect since 1993 into either a scholarship program or a loan program
9 with more favorable tax consequences than the previous program. Any loan or scholarship program
10 developed by the DIMER Board will be repaid under terms and conditions that will be coordinated with
11 the Delaware Higher Education Commission, who shall be responsible for monitoring and enforcement.
12 In designing either a scholarship or loan program, the DIMER Board will consider the need to assure that
13 there is a continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be
14 used to recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware.
15 Recruitment tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan
16 repayment programs will be approved by the Delaware Health Care Commission, the Budget Director and
17 the Controller General.

18 Section 63. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal
19 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the
20 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be
21 excluded from classified service as defined under 29 Del. C. § 5903.

DEPARTMENT OF TECHNOLOGY AND INFORMATION

Section 64. Amend 29 Del. C. §6528 by striking the current subsection (e) in its entirety and substituting in lieu thereof the following:

“(e) The provisions of subsection (d) of this section shall be waived with respect to the Department of Technology and Information. Requests from the Chief Information Officer to transfer funds appropriated to personnel costs to contractual services or from contractual services to personnel costs may be made upon the approval of the Budget Director and the Controller General. In no instance shall unexpended funds appropriated to contractual services be transferred to personnel costs to provide salary increases to employees within the Department of Technology and Information.”

Section 65. The Chief Information Office shall not make any changes to the department’s compensation plan regarding any aspect of employee compensation without the approval of the State Personnel Director, Budget Director and the Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 66. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Windows 2000 as its statewide network platform and messaging system. In an effort to establish a single, common electronic messaging platform throughout the state, no state agency/department shall migrate, change or switch to an alternative messaging platform without the express written consent of the Chief Information Officer, the State Budget Director and the Controller General. Any agency seeking exemption from this requirement must submit a request to the Department of Technology and Information stating clearly reasons for migrating to an alternative platform.

Section 67. The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries, excluding the Chief Information Officer, as appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of this Act and Personnel Cost lines less non-salary driven OEC components. Overtime and Casual and Seasonal components of the Personnel Cost lines shall not be part of the calculation. The resultant lump sum amount may be distributed to employees in accordance with the Department’s approved compensation plan. However, in no case shall individually awarded increases

1 exceed five percent of an individual's base salary, nor shall the aggregate amount awarded exceed the
2 Department's total Personnel Cost line. Further, in no case shall individually awarded amounts be given
3 retroactively.

4 Section 68. (a) Section 1 of this Act integrates the Delaware Center for Education Technology
5 (95-07-00) with the Department of Technology and Information (11-00-00) for the purpose of
6 streamlining, maximizing, and making more efficient the use of state resources to accomplish the
7 common goal of providing superior services to state agencies, public education and Delaware's citizens.
8 In no case shall any current employee of the Delaware Center for Education Technology be terminated
9 during the transition process.

10 (b) Section 1 of this Act transfers an appropriation of 5.0 FTEs, \$517.9 Personnel Costs and
11 \$100.0 Contractual Services from the Delaware Center for Education Technology (95-07-00) to the
12 Department of Technology and Information (11-00-00). In doing so, the Department of Technology and
13 Information assumes the responsibility to engage in activities related to total project needs and budgets
14 for statewide technology projects impacting the education community, the establishment of cost-sharing
15 projects, the initiation, procurement and maintenance of statewide technology contracts impacting the
16 education community, and the continued collaboration with the Department of Education to provide
17 professional training programs related to using technology in schools which promote and support
18 Delaware's education standards initiative. Furthermore, the Department of Technology and Information
19 accepts the responsibility of continuing to provide technical assistance for the initiation of system-wide
20 applications for administrative and curriculum development.

21 (c) Amend 14 Del. C. c. 42 by repealing said chapter in its entirety.

22 (d) Amend 29 Del. C. §9012C by deleting that section in its entirety and substituting in lieu
23 thereof the following: §9012C. "There is hereby established a Technology Investment Council
24 hereinafter referred to as the "Council." The Council shall consist of the following 11 members:

- 25 (1) The CIO, who shall serve as Chair of the Council;
- 26 (2) The Chief Justice of the Supreme Court or their designee;
- 27 (3) The Controller General or their designee;

- 1 (4) The Secretary of Education or their designee;
- 2 (5) Seven members selected to serve at the discretion of the Governor, two of which
- 3 shall be representatives from the local school districts.”

OTHER ELECTIVE OFFICES

Section 69. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

Section 70. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-match funding for federally-mandated audit services. If, during the first three months of any fiscal year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

Section 71. Amend 18 Del. C. §305 (e) by deleting the number “300,000” as it appears therein and substituting in lieu thereof the number “600,000”.

Section 72. 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 73. Section 1 of this Act provides an ASF appropriation of \$3,160.8 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 \$3,160.8 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 74. 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 75. Amend 29 Del. C. §6059 by striking said section in its entirety and substituting in lieu of the following: “The costs of administering the deferred compensation program, excluding personnel

1 costs, shall be borne by the participants of the program in accordance with regulations adopted by the
2 Council.”

3 Section 76. The State Treasurer’s Office shall develop a rate for the purpose of recovering costs
4 associated with the state’s acceptance of funds through the use of credit, debit and purchasing cards. Cost
5 recoverable activities shall include online transactions as well as traditional card transactions. The initial
6 rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The
7 Treasurer’s Office may initiate an automated revenue reduction process, equal to the approved rate, for all
8 cash receipts received by the aforementioned methods. The Treasurer’s Office shall provide the agency
9 with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an
10 automated revenue reduction process the Treasurer’s Office may invoice a state agency for necessary
11 reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant
12 Services fees.

13 Section 77. The State Treasurer’s Office, with the assistance of the Department of Technology
14 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and
15 approve the payment component of all new web-based technology initiatives involving the electronic
16 remittance of funds to the state. Specifically, those projects promoting the use of online credit card
17 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of
18 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that
19 already use online credit card payment, online debit card payment, Automated Clearing House payment,
20 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this
21 requirement unless and until such time as their current electronic payment component must undergo any
22 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility
23 of implementing the state’s designated payment component. A standard evaluation form will be designed
24 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and
25 the Government Information Center, where appropriate, and approved by the Office of the Budget.

26 Section 78. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the
27 Department of Technology and Information, may approve pilot projects for the purpose of electronically

1 transmitting remittance advices to those employees or contractors receiving payments via direct deposit
2 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their
3 request and documentation of cost savings in accordance with the guidelines established by the Office of
4 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll
5 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time
6 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer
7 and the Budget Director.

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

LEGAL

1
2 Section 80. (a) Section 1 of this Act authorizes an appropriation for Contractual Services for the
3 Office of the Attorney General (15-01-01). Of this amount, \$394.3 shall be used to provide family
4 violence services in New Castle County, and \$211.3 shall be used to provide family violence services in
5 Kent and Sussex counties. Notwithstanding any other provisions of the Delaware Code, funding for
6 family violence services in New Castle County shall be augmented by \$429.3 ASF transferred from the
7 Victim Compensation Fund, and funding for family violence services in Kent and Sussex counties shall
8 be augmented by \$230.2 ASF also transferred from the Victim Compensation Fund.

9 (b) Notwithstanding any other provisions of the Delaware Code, \$273.8 ASF from the Victim
10 Compensation Fund shall be transferred to the Victims Rights appropriation in the Office of the Attorney
11 General (15-01-01) to support victim notification initiatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and
2 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse
3 and neglect in Delaware nursing homes;

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

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

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

15 (s) 1.0 split-funded (0.5 FTE and 0.5 ASF FTE) Deputy Attorney General shall be assigned to
16 the Department of Agriculture. 50 percent of this position shall be assigned to work on issues related to
17 nutrient management and shall be funded by General Funds; 50 percent of this position shall be assigned
18 to work on issues related to the Thoroughbred Racing Commission and Harness Racing Commission, and
19 shall be funded by Appropriated Special Funds;

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

21 (u) Section 1 of this Act appropriates two ASF positions (one Deputy Attorney General IV and
22 one Paralegal) relating to the tobacco settlement in an effort to supplement and enhance the ongoing
23 aggressive enforcement efforts by the Attorney General's Office of Delaware's tobacco laws pertaining to
24 youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss of settlement
25 dollars; and

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

4 Section 82. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 and 22.0 split-
5 funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General to support the
6 Child Support Enforcement function. The Child Support Enforcement function in the Attorney General's
7 Office will operate on a reimbursement basis, wherein the State makes the initial expenditures and is
8 reimbursed from federal funds controlled by the Department of Health and Social Services. The
9 reimbursement rate for operations will be 66 percent of total direct costs; the reimbursement rate for
10 indirect costs will be 25 percent of federal dollars spent on direct salary costs.

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

15 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the
16 departmental portion of indirect cost recoveries for this function to support the agency's overhead and
17 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost
18 recoveries will be deposited into the indirect cost account in the Budget Office. The remainder of the
19 indirect cost recoveries and any unused portion of indirect cost funds in the Attorney General's Office will
20 be deposited into a separate account and retained to support the General Fund portion of the budget for
21 this function in subsequent years.

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

STATE

1
2 Section 83. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker
3 Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0
4 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

5 Section 84. Section 1 of this Act provides an appropriation to the Department of State, Office of
6 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that
7 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

8 Section 85. Section 1 of this Act establishes a special fund appropriation entitled Technology
9 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 69
10 Del. Laws, c. 52, will be deposited into this fund to be used for technological and infrastructure
11 enhancements, ongoing maintenance, operational expenses for Corporations, and electronic commerce.
12 Quarterly reports regarding the status of this fund shall be made by the Department of State to the Budget
13 Director and the Controller General.

14 Section 86. Section 1 of this Act provides an appropriation to the Department of State, Office of
15 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the
16 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

17 Section 87. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage
18 Commission (20-01-05) shall be exempt from the Merit System.

19 Section 88. The Delaware Heritage Commission shall investigate which out of print books and
20 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
21 Commission shall investigate what writings in these categories would be valuable for republication. A
22 report shall be made to the Controller General and Budget Director by December 1, 2003.

23 Section 89. Section 1 of this Act includes an appropriation to the Department of State, Division
24 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation
25 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art
26 for placement in state museums.

1 Section 90. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State
2 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits
3 and art objects in Legislative Hall.

4 Section 91. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
5 Office of the State Banking Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for
6 costs associated with the collection and administration of the Bank Franchise Tax.

7 Section 92. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of
8 \$2,569.5 for Library Standards. Of that amount, Libraries may reserve up to \$256.9 for planning and
9 evaluation grants to determine each library's attainment of state and federal library standards. The
10 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount
11 allocated to that library, one installment upon signature of the contract and the second installment in
12 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if
13 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an
14 account for the benefit of the library from which the unspent funds came. These funds may be spent in
15 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be
16 used as part of any subsequent years' formula payment.

FINANCE

1
2 Section 93. The Department of Finance, Office of the Secretary is authorized during the
3 fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and
4 payment of other costs incidental to the implementation and maintenance of computer systems at the
5 Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and
6 shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose of maintaining Revenue's
7 mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C. subchapter
8 IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system
9 maintenance with the Department of Technology and Information.

10 Section 94. Revenue (25-06-01) is authorized to establish and maintain a special fund with the
11 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent
12 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may
13 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;
14 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit
15 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the
16 collection of delinquent taxes under such contracts and/or personnel. A detailed report on all
17 expenditures from and collections to this special fund shall be sent annually to the Budget Director and
18 the Controller General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the
19 General Fund.

20 Section 95. The Director of Revenue shall have the authority to accept, on whatever terms and
21 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue
22 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit
23 card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the
24 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of
25 taxes by credit cards.

26 Section 96. The Director of Revenue shall have the authority to enter into agreements according
27 to which contingency and other fees are provided to finders of property to be escheated to the State or to

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

14 Section 97. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
15 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund
16 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
17 the Budget Director, provided that the total operating budget for this fiscal year shall not exceed 20
18 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

23 Section 98. There shall be established a special fund for the purpose of receiving the proceeds of
24 liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this
25 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in
26 issues of the United States Treasury or investments of comparable risk. The Secretary may at his
27 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

1 Section 99. Pursuant to 29 Del. C. 4815(b)(2), funds from the State Lottery Fund shall be
2 released to an appropriately established account within the Department of Health and Social Services,
3 Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the
4 amount of which shall be based on the results of video lottery operations conducted during the
5 immediately preceding month.

1

2 **ADMINISTRATIVE SERVICES**

3 Section 100. During Fiscal Year 2004, notwithstanding the provisions of 29 Del. C. §5915, the
4 Merit Employee Relations Board shall hear all maintenance review classification appeals before it in
5 chronological order, beginning with the oldest such appeal unless all parties are in agreement with other
6 such arrangements.

7 Section 101. Section 1 of this Act appropriates contractual services to Office of Disability Affairs
8 (30-01-20). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

9 Section 102. Upon receipt of information from the DMA (Delaware Manicurist Alliance), the
10 Board of Barbering and Cosmetology shall publish a newsletter periodically to its members containing
11 pertinent materials relative to nail technology.

12 Section 103. During the fiscal year, the Department of Administrative Services, Facilities
13 Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings
14 known as the Kent County Courthouse, the Sussex County Courthouse, Absolom Jones/Belvedere State
15 Service Center and New Castle County Courthouse. The retained portion must be deposited as per state
16 laws and shall be disbursed per Section 1 of this Act.

17 Section 104. For energy backcharge purposes, the Department of Administrative Services (host
18 department) the current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten percent of the
19 Public Safety Building, for which energy payment is the responsibility of the host department. The
20 Department of Transportation is responsible for paying the Motor Fuel Tax portion of the energy bills
21 upon request for payment by the host department.

22 Section 105. The Secretary of the Department of Administrative Services shall work in concert
23 with the State Court Administrator in the Administrative Office of the Courts, Office of the State Court
24 Administrator to prioritize projects and ensure completion of necessary renovations and equipment
25 acquisitions within the court system.

26 Section 106. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for
27 employee parking in the Government Center Parking Garage as long as such payments are continuances

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

3 Section 107. Personnel in the Department of Administrative Services, Facilities Management
4 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive
5 compensation at their straight time rate of pay for all overtime services performed beyond the normal
6 work week. The method of compensation is subject to the availability of funds and/or the operational
7 needs of the Department of Administrative Services, Facilities Management.

8 Section 108. (a) Notwithstanding any state law to the contrary, the Department of Administrative
9 Services may implement a pilot videoconferencing initiative including the utilization of no more than six
10 videoconferencing units. State agencies participating in the pilot program may be assessed and shall pay
11 the charge initiated in Fiscal Year 2003 for the usage of videoconferencing services and equipment. Such
12 payments are considered allowable charges to all sources of state funding; sources include General Fund,
13 Appropriated Special Funds, Non-appropriated Special Fund, Federal Funds and Transportation Trust
14 Fund.

15 (b) The Department of Administrative Services shall provide a report of the findings of the pilot
16 videoconferencing program to the Governor and General Assembly no later than July 30, 2003. Said
17 report shall include, but not be limited to, videoconferencing unit utilization and cost benefit realized by
18 participating agencies.

19 (c) The charge assessed to state agencies for videoconferencing services and equipment shall be
20 determined by the Secretary of Administrative Services with the annual prior approval of the Budget
21 Director and Controller General.

22 (d) Upon approval of the Budget Director and Controller General, the videoconferencing pilot
23 program may be expanded in Fiscal Year 2004.

HEALTH AND SOCIAL SERVICES

Section 109. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse and Registered Nurse classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 110. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Budget Director and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 111. Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Budget Director and the Controller General.

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

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

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

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

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

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

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

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

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

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

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

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

6 Section 115. Section 1 of this Act provides a tobacco fund appropriation to the Department of
7 Health and Social Services, Public Health, Community Health (35-05-20). Of that amount, \$200.0 shall
8 be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program; \$150.0
9 shall be used to contract with Cancer Care Connection; \$200.0 shall be used to contract with The
10 Wellness Community, both to provide support services for people with cancer; \$4,938.1 shall be used for
11 the implementation of the Cancer Council recommendations; \$100.0 shall be used to contract with the
12 Delaware Ecumenical Council; and \$47.6 shall be used for a Delaware School Survey contract with the
13 University of Delaware. These funding amounts shall be made available for Fiscal Year 2004 only.

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

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

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

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

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

22 Section 121. The State desires to establish a permanent funding program for rodent control
23 activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent
24 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
25 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
26 be made no later than September 1, 2004; establish program objectives and spending guidelines; require

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

3 Section 122. Public Health, Community Health (35-05-20) will receive Medicaid reimbursement
4 for services provided to Medicaid eligible students in the School Based Health Centers. The division
5 shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled School
6 Based Health Centers to support the cost of this initiative.

7 Section 123. Notwithstanding any other provisions of this Act, or the Delaware Code, additional
8 positions in the former Office of Emergency Medical Services (35-05-30) shall be transferred to its new
9 location within the Department of Safety and Homeland Security (45-08-01). These transfers shall be
10 processed after July 1, 2003, but prior to October 30, 2003.

11 Section 124. Notwithstanding any other provisions of this Act, or the Delaware Code, positions
12 and funding related to the closing of Governor Bacon Health Center (35-05-60) may be transferred to and
13 from other divisions in the Department of Health and Social Services, including a special appropriation
14 established within the Division of Management Services (35-01-20) entitled GBHC Transition. These
15 transfers may be processed after July 1, 2003, but prior to June 30, 2004. It is the intent of the Governor
16 and the General Assembly that no existing employees will lose their employment status as a result of
17 closing the Governor Bacon Health Center.

18 Section 125. Section 1 of this Act provides an appropriation to the Department of Health and
19 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for
20 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable
21 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

26 Section 126. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to
27 receive reimbursement for providing a work study program for local nursing schools and for assigning

1 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

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

4 Section 127. Section 1 of this Act provides an appropriation to the Department of Health and
5 Social Services, Substance Abuse and Mental Health, Substance Abuse (35-06-40) in Contractual
6 Services. In addition to this General Fund appropriation, the Director of Substance Abuse and Mental
7 Health, shall ensure that the amount of \$60.0 be expended from available federal funds to contract for
8 employment, alcohol, and drug counseling and referral services for youth and adults to encourage an
9 alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be expended from
10 available federal funds to contract for employment, alcohol, and drug counseling and referral services for
11 youth and adults to encourage an alcohol and drug-free environment in the Claymont community.

12 Section 128. Section 1 of this Act makes appropriations to the Department of Health and Social
13 Services, Social Services (35-07-01), for various programs that pay for health care including drugs for
14 many citizens of Delaware. In the Medicaid program, federal regulations mandate that drug companies
15 must provide rebates in order to participate in the program. Social Services shall establish a drug rebate
16 process for the non-Medicaid programs administered by the division including but not limited to: the
17 Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription Assistance
18 program and the Legal Non-Citizen Health Care program. The division shall establish a rebate process
19 for these programs that it determines is in the best interests of the citizens who are being served. The
20 rebate amount shall be calculated using the full methodology prescribed by the federal government for the
21 Medicaid program. Notwithstanding any provisions of the Delaware Code to the contrary, the division
22 shall deposit any drug rebate funds received as well as third party insurance collections (minus retention
23 amounts) and other collections into the appropriate Social Services program account and used to meet
24 program costs.

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

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

4 Section 129. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under
5 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management
6 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and
7 shall have the authority to allocate such funds, and may advise on the use of other funds specifically
8 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and
9 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to
10 Three, selected through the early intervention process and to ensure coordination with the Program for
11 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions
12 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate
13 this program. The lead agency shall report to the Budget Director and the Controller General on additional
14 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that
15 will be deposited into the General Fund in Fiscal Year 2004.

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

24 Section 130. Section 1 of this Act provides an appropriation to the Department of Health and
25 Social Services, Social Services (35-07-01) for Renal Disease.

26 Public Health (35-05-00) will provide the following support for the Chronic Renal Disease
27 Program: 1) provide staff support for the Chronic Renal Disease Advisory Committee, including the

1 maintenance of the committee membership and appointment system; 2) assist in developing programs and
2 other public health initiatives designed to prevent chronic renal disease; and, 3) carry out educational
3 programs for health professionals and the public to increase general knowledge of the prevention and
4 treatment of chronic renal disease.

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

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

11 Section 131. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
12 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded
13 through voluntary contributions from medical facilities and from federal matching funds. These positions
14 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these
15 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the
16 State of Delaware. Other medical facilities throughout the state may participate in this program.

17 Section 132. Section 1 of this Act appropriates \$16,400.0 ASF in Social Services (35-07-00) for
18 Medicaid – Non-State. Of that amount, \$400.0 is revenue from Medicaid reimbursements for services
19 provided to Medicaid eligible students in the School-Based Health Centers. This \$400.0 shall be used for
20 expenses associated with the normal operations of Medicaid – Non-State program.

21 Section 133. Section 1 of this Act provides an appropriation to the Department of Health and
22 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
23 II system maintenance. Social Services shall have the authority to contract for positions needed to
24 provide system maintenance. The division shall also have the authority, with approval from the Budget
25 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to
26 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

1 Section 134. The Department of Health and Social Services is authorized to contract with a
2 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,
3 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to
4 entering into any such contracts the department will obtain the approval of the Secretary of the
5 Department of Administrative Services.

6 Section 135. Section 1 of this Act makes ASF appropriations to the Department of Health and
7 Social Services, Social Services (35-07-00) for the Prescription Assistance Program and other programs
8 funded with Tobacco Settlement funds. These funds may be used for both the client services and
9 administrative costs of the programs.

10 Section 136. Section 1 of this Act appropriates \$2,050.6 in Personnel Costs and 40.6 FTEs to
11 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
12 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may
13 be filled if the September 2003 educational unit count indicates the number of teachers required to meet
14 caseloads for visually impaired students is greater than the Fiscal Year 2004 complement of teachers.

15 Section 137. Section 1 of this Act provides an appropriation to the Department of Health and
16 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be
17 used to compensate correctional inmates for the purpose of producing Braille materials for visually
18 impaired school children.

19 Section 138. Section 1 of this Act provides an appropriation of \$1,617.2 ASF in the Department
20 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.
21 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The
22 department shall continue its efforts to maintain collections related to child support programs, and all
23 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

24 Section 139. Section 1 of this Act provides an appropriation to the Department of Health and
25 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual
26 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

1 Section 140. Section 1 of this Act appropriates funding to the Developmental Disabilities
2 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,
3 \$57.0 shall be used for the Mary Campbell Center.

4 Section 141. Developmental Disabilities Services, Community Services (35-11-30) receives
5 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day
6 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and
7 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day
8 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community
9 residential and day program contracts currently funded out of the Purchase of Care and Purchase of
10 Community Services lines.

11 Section 142. (a) Developmental Disabilities Services (35-11-00) is encouraged, where
12 appropriate, to reallocate resources so as to maximize community-based residential placements for
13 persons with mental retardation. Such reallocation initiatives must be made within the total Division's
14 appropriation limit with the approval of the Budget Director and the Controller General. These
15 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center
16 population.

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

22 (c) Section 1 of this Act also provides an appropriation to Social Services (35-07-00), for the SSI
23 Supplement and Medicaid – Non-State. Of those amounts, \$30.3 and \$559.5, respectively, are the result
24 of a reallocation from Developmental Disabilities Services, Community Services (35-11-20) as part of the
25 Stockley Transition Plan and shall be used exclusively for the community placements of Developmental
26 Disabilities Services clients. This reallocation is also the result of the authority found in subsection (a) to

1 reallocate resources to maximize community-based residential placements and was needed in order to
2 maximize federal participation in such placements.

3 Section 143. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of
4 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The
5 division shall be allowed to collect and deposit funds into this account as a result of revenue from
6 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and
7 tenant fees.

8 Section 144. State Service Centers, Family Support (35-12-10) maintains appropriation accounts
9 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to
10 buy them and to publish a Human Services Directory, respectively.

11 Section 145. Section 1 of this Act for Department of Health and Social Services, State Service
12 Centers, Family Support (35-12-10) includes 3.0 FTE (#59625, #3094, #16224) and \$120.2 Personnel
13 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the
14 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

15 Section 146. Section 1 of this Act includes funding for Contractual Services for Department of
16 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0
17 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be
18 distributed annually in a lump sum at the beginning of the contract year.

19 Section 147. The position of Director, Community and Volunteer Services, shall remain exempt
20 from classified service until such time as the position becomes vacant.

21 Section 148. Notwithstanding any other provisions of the Delaware Code, State employee
22 recognition funds may be used per existing guidelines to include the recognition of volunteers and other
23 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

24 Section 149. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive
25 Medicaid reimbursement for the administration of community based services for the Aging and Adults
26 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division
27 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund

1 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to
2 maintain existing services and provide additional services for adults with physical disabilities. Such
3 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review
4 by the Budget Director and the Controller General.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 150. 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, 2003, 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 151. 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 152. Section 1 of this Act provides an appropriation of \$588.5 and \$299.3 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 153. 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 154. 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

1 made available with the goal of limiting the number of children who remain in foster care for more than
2 two years. For the year beginning October 1, 2003, the goal will be 220 children. This goal statement is
3 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-
4 272).

5 Section 155. Family Services is hereby directed to formally notify, in advance, the Foster Care
6 Review Board of any meeting, hearing or other event of which the Board desires notification. Said
7 notification shall be directed to the Executive Director of the Board.

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

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

20 Section 158. Section 1 of this Act provides an Appropriated Special Fund authorization of
21 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting
22 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose
23 Criminal Justice Facility (38-04-06).

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

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

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

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

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

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

1 Section 161. 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.

CORRECTION

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

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

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

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

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

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

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

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

7 Section 167. Section 1 of this Act provides an appropriation of \$1,015.5 in the Department of
8 Correction, Bureau of Prisons, Bureau Chief – Prisons (38-04-01) for population increases. It is the intent
9 that the appropriation be used to provide funding to any institution within the Bureau of Prisons that
10 experiences an increase in its incarcerated population throughout the fiscal year. Upon the approval of
11 the Budget Director and Controller General, said funds may be transferred to the appropriate institutions.

12 Section 168. Section 1 of this Act provides an appropriation for Personnel Costs to the
13 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
14 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to
15 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is
16 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

17 Section 169. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
18 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a
19 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
20 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
21 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of
22 Correction by June 1 of each year, which will include but not be limited to the mission of the
23 organization, the statement of the problem, a synopsis of the program, the number of participants,
24 statistics relating to recidivism rates of those participating in the program and an annual budget of the
25 organization.

26 Section 170. (a) Section 1 of this Act makes an appropriation of \$3,909.4 to the Department of
27 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol

1 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -
2 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,
3 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,
4 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse
5 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are
6 intended to support drug and alcohol treatment programs provided by the department to individuals in its
7 custody or under its supervision. The administration of these contracts shall be the responsibility of the
8 Commissioner of Correction or his designee.

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

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

17 Section 171. Section 1 of this Act provides an appropriation to Community Corrections,
18 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget
19 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,
20 II and III) and the average personnel complement for each level. These reports are due on December 31
21 and June 30.

22 Section 172. Notwithstanding any other provisions of the Delaware Code, \$94.0 ASF from the
23 Victim Compensation Fund shall be transferred to the Contractual Services appropriation in the
24 Department of Correction, Community Corrections, Probation and Parole (38-06-02) to support a
25 community restorative justice program in New Castle County.

26 Section 173. (a) The Department of Correction shall have the authority, upon the concurrence
27 and approval of the Budget Director and Controller General, to establish up to 6.0 ASF FTEs. The

1 positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion
2 of projects requested by the Delaware Department of Transportation. Upon approval, 2.0 ASF FTEs shall
3 be assigned to the Department of Correction Prisons, Webb Correction Facility (38-04-02), 2.0 ASF FTEs
4 in Department of Correction, Community Corrections, Plummer Work Release Center (38-06-06) and 2.0
5 ASF FTEs in Department of Correction, Community Corrections, Central Violation of Probation Center
6 (38-06-10). The source of funding shall be the Department of Transportation, Division of Operations and
7 Maintenance, Maintenance Districts (55-04-70). Adjustments to Appropriated Special Fund spending
8 authority for this program can be made upon the concurrence and approval of the Budget Director and the
9 Controller General.

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

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

17 Section 174. The Department of Correction, Administration, Office of the Commissioner (38-01-
18 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget
19 Director and Controller General. The report shall include the number of overtime hours worked and the
20 amount of overtime salary expended by each agency within the Department, and shall include a
21 breakdown of the reason for overtime.

22 Section 175. Prison education services shall be provided by utilizing existing teachers that are in
23 the Department of Correction as well as authorized teaching positions in the Department of Education.
24 The management of all educational positions shall be provided by the Department of Education.
25 Department of Correction teachers shall have the opportunity each year to notify both agencies of their
26 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each

1 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section
2 shall be permanent.

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

8 Section 176. The Department of Correction, Community Corrections, House Arrest (38-06-04)
9 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department
10 shall determine the number of employees needed on duty throughout each 24-hour period and arrange
11 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50
12 percent during night time and weekend hours.

13 Section 177. The Merit Rules notwithstanding, Department of Correction employees designated
14 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless
15 of their classification.

1 **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 Section 178. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to
3 spend up to \$4,091.0 in Appropriated Special Funds. Within this amount, the division is authorized to
4 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These
5 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an
6 attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from
7 the listed projects must be approved by the Budget Director and the Controller General.

8 Section 179. The Department of Natural Resources and Environmental Control will provide the
9 Joint Finance Committee with information on the actual cost of all Title V program activities, including
10 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the
11 Joint Finance Committee by January 31 and July 31, respectively.

12 Section 180. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed
13 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-
14 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and
15 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the
16 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland
17 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

21 Section 181. Section 1 of this Act appropriates \$836.9 in General Funds and any revenues
22 collected in Appropriated Special Funds for a dog control contract in the Department of Natural
23 Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). The recipient of this
24 contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code.
25 The contract will require that at a minimum there will be 6 dog control officers in New Castle County, 3
26 in Kent County and 3 in Sussex County during Fiscal Year 2004.

1 Section 182. 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 183. 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 the Mosquito Control Section.

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

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

23 Section 186. Section 1 of this Act appropriates funding for an Environmental Engineer assigned
24 to the Claymont/Edgemoor Industrial Complex and to be located at the Robinson House in Claymont.
25 The Department of State, Division of Historical and Cultural Affairs will, in consultation with the
26 Department of Natural Resources and Environmental Control, develop a plan for the renovation of office

1 space within the Robinson House. The Department is also authorized to expend monies from the Penalty
2 Fund to pay for the renovation, subject to approval by the Budget Director and the Controller General.

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

4 (a) An interest-bearing, Non-appropriated Special Fund known as the Delaware Marsh
5 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement
6 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,
7 2001. The interest income from this Trust Account will be dedicated to implement the Settlement
8 Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife
9 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat
10 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by
11 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

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

16 Section 188. Section 1 of this Act appropriates \$4,063.2 to the Department of Natural Resources,
17 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to
18 fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services
19 and contractual services at the Bellevue State Park system.

20 Section 189. The budget complement of the Department of Natural Resources and
21 Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 FTEs Analytic
22 Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes vacant, it
23 shall be converted to ASF. The remaining position shall not be converted.

24 Section 190. Section 1 of the Act appropriates \$3,199.4 to the Department of Natural Resources
25 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).
26 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

1 Section 191. Section 1 of this Act appropriates \$495.3 to the Department of Natural Resources
2 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that
3 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0
4 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

5 Section 192. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and
6 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and
7 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,
8 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based
9 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

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

21 Section 193. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District
22 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field
23 staff personnel for the preparation of nutrient management plans.

24 Section 194. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
25 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of
26 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and
27 abandoned underground storage tank (UST) systems. These USTs shall include those where the

1 responsible parties have shown to the satisfaction of the Department of Natural Resources and
2 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and
3 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery
4 of the funds expended under the HSCA fund.

5 Section 195. Section 1 of this Act makes an appropriation to the Department of Natural
6 Resources and Environmental Control, Water Resources, Management and Support – Water Resources
7 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the
8 Environmental Training Center at Delaware Technical and Community College, Owens Campus.
9 Funding is to be used to provide training for state and local water and wastewater operators.

10 Section 196. Fish and Wildlife is authorized to expend funds carried forward from the sale of
11 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries
12 programs and marine enforcement.

13 Section 197. It is intent of the General Assembly that the Department of Natural Resources and
14 Environmental Control shall be required, pending legal review, to post on its Internet website within three
15 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
16 after such citations have been entered in the courts.

17 Section 198. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,
18 which shall be exempt from the Merit System, to the Department of Natural Resources and
19 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and
20 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.
21 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after
22 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal
23 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to
24 the investigation of the incident; and the indirect costs related to all of the above.

25 Section 199. Section 1 of this Act makes an appropriation for contractual services to Department
26 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-
27 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

1 Section 200. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the
2 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
3 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
4 the inland bays.

SAFETY AND HOMELAND SECURITY

Section 201. 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 20 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 202. 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 203. 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 204. 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 205. 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

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

4 Section 206. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I
5 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and
6 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and
7 Troop 6.

8 Section 207. (a) Amend 16 Del. C. §9814 (b) by deleting said subsection in its entirety and
9 substituting in lieu thereof the following:

10 “(b) The operational costs of each county’s component of the statewide paramedic
11 service shall be shared by the State and county with the State providing 40 percent of the
12 cost and the county providing 60 percent.”

13 (b) Amend 16 Del. C. §9814 (c) by deleting the number “60” as it appears therein and
14 substituting in lieu thereof the number “40”.

15 (c) Amend 16 Del. C. §9814 (d) by deleting the number “60” as it appears therein and
16 substituting in lieu thereof the number “40”.

TRANSPORTATION

Section 208. 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 209. 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.

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

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

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

- 10 1) continue to provide the present level of service to dialysis patients on normal service days
11 during the hours offered in New Castle County by the Delaware Transit Corporation to
12 the extent that such service does not place the Delaware Transit Corporation in violation
13 of the federal Americans with Disabilities Act.
- 14 2) provide service to dialysis patients in Kent and Sussex counties during hours identical to
15 those offered in New Castle County.

16 Section 210. Section 1 of this Act appropriates \$862.1 TFO to Finance (55-01-02) for
17 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware
18 River and Bay.

19 Section 211. Section 1 of this Act makes an appropriation of \$830.3 TFO to Planning (55-03-01)
20 for Operations/Capital.

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

26 (b) Of this amount, \$250.0 shall be used for the purposes of funding research programs of the
27 Delaware Transportation Institute. Use of these program funds are subject to prior approval of the

1 research approach and specific research projects of the Institute by the existing Policy Committee for the
 2 Institute, which shall include representation from the Department of Transportation, the University of
 3 Delaware, the Chairperson of the House Transportation and Infrastructure Committee, and the
 4 Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit
 5 Committee.

6 Section 212. The Department of Technology and Information shall bill the Department of
 7 Transportation, Technology and Support Services (55-02-00) on an actual usage basis.

8 Section 213. Section 1 of this Act provides an appropriation to Operations and Maintenance (55-
 9 04-00). Of this appropriation, \$2,629.2 TFO shall be used to implement the National Pollutant Discharge
 10 Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget
 11 Director and the Controller General on the status of the implementation of NPDES and provide associated
 12 cost projections for the remainder of the fiscal year.

13 Section 214. Section 1 of this Act makes an appropriation in the amount of \$51,078.6 TFO to
 14 Operations and Maintenance, Maintenance Districts (55-04-70) and \$7,694.0 TFO to Operations and
 15 Maintenance, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is
 16 authorized at \$1,037.1 TFO.

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

Line Item	Toll Operations		Maintenance	Total All
	I-95	SR-1		
Personnel Costs	2,751.6	2,322.5	5,804.2	10,878.3
Travel	26.0	0.0	0.0	26.0
Contractual/Supplies	1,237.6	821.1	1,855.6	3,914.3
Energy	114.8	329.4	279.8	724.0
Capital Outlay	91.0	0.0	66.0	157.0
TOTALS	4,221.0	3,473.0	8,005.6	15,699.6
FTE's	67.0	64.0	140.0	271.0

18 Section 215. Section 1 of this Act makes various appropriations from the Transportation Trust
 19 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules
 20 notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the
 21 Department of Transportation’s (“Department”) efforts to develop and implement two pilot programs to

1 provide employee incentives designed to acknowledge outstanding performance and to achieve a net
2 reduction in costs to the department.

3 The pilot programs, Shared Savings Program and Quality Service Award Program, shall have
4 oversight by a committee comprised of the Secretary of Transportation, Budget Director, State Personnel
5 Director, State Controller General, a Representative of Council 81 AFL-CIO, a Representative of the
6 Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American Arbitration
7 Association. Guidelines for both pilot programs shall be developed by the department for approval by the
8 Committee. Analytical assistance shall be provided by staffs of the Financial Management and Budget,
9 Budget Office and Controller General's Office.

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

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

18 Shared savings proposals must be submitted to the Director, Finance, by October 1, 2001.
19 Implementation of savings proposals will commence July 1, 2002 for Fiscal Year 2003. Upon the
20 conclusion of Fiscal Year 2003, the Oversight Committee shall assess the
21 proposals with respect to their actual savings and will distribute associated Shared Savings Awards
22 December 1, 2003.

23 Section 216. The Department of Transportation and/or its E-ZPass contractor is prohibited from
24 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic
25 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police
26 from enforcing traffic laws including speed enforcement at the E-Z Pass toll booths.

1 Section 217. Section 1 of this Act makes an appropriation to Operations and Maintenance,
2 Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called
3 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.
4 Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the
5 end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to
6 current fiscal year accounts. The department shall be allowed to transfer funds from this account to
7 divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to
8 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the
9 department and the municipality to keep transit routes open during snow and storm emergencies. The
10 transfer of funds from this account shall not require the approval of the Budget Director or the Controller
11 General. The department must provide a quarterly report each fiscal year.

12 Section 218. In addition to the positions authorized in Section 1 of this Act for the Department of
13 Transportation, Technology and Support Services, Office of Information Technology (55-02-03),
14 additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of
15 information technology support. As remaining positions for the purpose of information technology
16 support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation
17 Authority may be reallocated to continue the centralization of the information technology function within
18 the Office of the Secretary. The Budget Director and Controller General may authorize this reallocation
19 accordingly.

20 Section 219. During the fiscal year, the Department of Transportation shall be prohibited from
21 changing its departmental policy regarding access pipe installation on private homeowner entrances.
22 Specifically, the department shall not charge said homeowners for the labor costs associated with the
23 installation of the access pipe.

24 Section 220. Amend 30 Del. Code §5107(a) by deleting the number “\$200,000” as it appears
25 therein and substituting in lieu thereof the number \$1,500,000”.

26 Section 221. Amend 30 Del. Code §5134(d)(1) by deleting the number “\$200,000” as it appears
27 therein and substituting in lieu thereof the number “\$1,500,000”.

1 Section 222. Notwithstanding any other provisions of the Delaware Code, the Department of
2 Transportation, Division of Motor Vehicles (55-11-00) shall have the authority to charge state agencies
3 for state identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be
4 determined by the Division of Motor Vehicles and will be deposited into a holding account coded as
5 special fund revenue and shall not be subject to General Fund deposit or Transportation Trust fund
6 deposit at any time.

7 Section 223. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,
8 Division of Motor Vehicle, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection
9 equipment.

10 Section 224. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance
11 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,
12 2003. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

LABOR

Section 225. (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, 2003. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2004, on or about June 15, 2004. 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 226. 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

1

2

Section 227. Section 1 of this Act appropriates 1.0 ASF FTE to the Agricultural Lands

3

Preservation Foundation (65-01-13). This position shall be contingent upon the appropriation of

4

sufficient operating funds for the Agricultural Lands Preservation Foundation as contained in the Fiscal

5

Year 2004 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003

6

Capital Improvement Act.

ELECTIONS

1
2 Section 228. Any Department of Election, upon approval of the respective Board of Elections,
3 may establish polling places in which one or more small mandated districts of less than 300 registered
4 voters as of 60 days prior to the date of an election may be administered by the election officers of
5 another election district.

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

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

14 Section 229. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,
15 referenda and bond issue elections to the Department of Elections, should this law be funded by the
16 General Assembly.

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

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

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

1 Section 230. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-
2 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its
3 statewide efforts to maintain the voter rolls in an orderly manner.

4 Section 231. For purposes of designating and procuring polling places for primary, general and
5 special elections, the respective county department of elections shall pay a rental fee totaling \$0.2 for each
6 facility used, no matter how many election districts are assigned to that facility.

7 Section 232. Any state agency, office or department is prohibited from publishing or funding the
8 publication of voter guides.

9 Section 233. Notwithstanding any other provisions of the Delaware Code or this Act to the
10 contrary, the Commissioner of Elections is authorized to use prior year funds and residual Contractual
11 Services funding originally appropriated for voting machine warranties for voting machine maintenance
12 and lithium battery replacement upon expiration of voting machine warranties.

FIRE PREVENTION

1

2

Section 234. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire

3

Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to

4

be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the

5

purpose of operating a Statewide Fire Safety Education Program.

6

Section 235. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-

7

01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter

8

Intervention Program.

NATIONAL GUARD

1

2 Section 236. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-
3 01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses
4 of the Lora Little School building that are not directly attributable to occupancy by the Delaware National
5 Guard.

6 Section 237. Section 1 of this Act provides an appropriation to the Delaware National Guard (76-
7 01-01) for educational assistance. The National Guard shall not be required to pay fees.

HIGHER EDUCATION

Section 238. 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 239. (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	\$2,381.4
Scholarships	1,851.6
Minority Student Recruitment	1,362.1
Aid to Needy Students	1,516.9
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$7,563.5

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

1	Diagnostic Poultry Program	<u>141.8</u>
2	Total	\$3,313.6
3	<u>Other Programs:</u>	
4	Sea Grant	\$ 506.6
5	Urban Agent Program	122.8
6	Public Service and Applied Research Projects	410.2
7	Minority Recruitment	265.5
8	Local Government Research and Assistance	217.1
9	Graduate Education (Southern Delaware)	33.8
10	Library Automation	52.0
11	MALS/BALS - Southern Delaware	64.1
12	Nurse Practitioner	244.8
13	Science, Engineering and Technology Service Program	142.9
14	Molecular Biology/Biotechnology Program	455.0
15	Math/Science Education for DE Teachers	570.5
16	Advanced Materials	133.1
17	Center for Community Development and Family Policy	238.7
18	Training and Research (Educational Management)	107.9
19	Computer Aided Math Instruction	80.0
20	Advanced Electronics and Materials Initiative	591.9
21	Field Hockey Coach	33.0
22	Delaware Center for Teacher Education	320.7
23	Research on School Finance Issues	82.5
24	Delaware Education Research and Development Center	216.2
25	Delaware Research Scholars Program	150.0
26	Milford Professional Development School	108.0
27	Information Technology Partnership	2,321.0

1	ITV Technician	55.1
2	Core Content Teacher Education	289.4
3	Biotechnology	275.9
4	Computer Aided Instruction, Arts & Science	100.0
5	Clinical Instruction in Teacher Education	217.2
6	Early Childhood Education	103.8
7	Civics Education for Teachers	100.0
8	Biotechnology Institute	186.2
9	Software License Support	125.0
10	Assistant Women's Coaches	41.8
11	Study Abroad for Delaware Residents	<u>50.0</u>
12	Total	\$9,012.7

13 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2004 budget is
14 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year
15 2004 utilizing University funds for those programs identified for reduction in State funds. In addition, the
16 University will, and has agreed to, not lay off any faculty or staff in these programs nor discontinue any
17 of the impacted programs.

18 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of
19 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently
20 enrolled eligible recipients prior to Fiscal Year 2004, until said completion. The remaining \$100.0 shall
21 be used for new students in Fiscal Year 2004. Students that are pursuing educational or nursing degrees
22 shall have priority in receiving a merit scholarship under this Program.

23 Section 240. Section 1 of this Act provides an appropriation to the University of Delaware (90-
24 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs
25 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents
26 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative
27 Extension Program.

1 Section 241. Section 1 of this Act provides an appropriation to the University of Delaware for the
2 Milford Professional Development School. The University and the Milford School District shall submit
3 to the Controller General and the Budget Director, by March 1, 2004, a joint report detailing the
4 implementation status of this program as it relates to the appropriation herein.

5 Section 242. Section 1 of this Act makes an appropriation to Delaware State University,
6 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
7 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
8 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and
9 \$100.0 shall be for scholarships for female athletes.

10 Section 243. For the fiscal year covered by this Act, in order to continue the assessment of
11 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
12 as a result of processing accounting transaction data into two independent accounting systems, the Budget
13 Director has authorized Delaware State University to:

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

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

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

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

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

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

10 Section 244. Section 1 of this Act provides an appropriation to Delaware Technical and
11 Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel
12 Program - Academic. This appropriation is to assist in the provision of the Delaware
13 Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions
14 under a contract initiated by Delaware Technical and Community College. Under this contract, the
15 University of Delaware will teach students at Delaware Technical and Community College's facilities.
16 Future budget requests will be made jointly by Delaware Technical and Community College and the
17 University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of
18 tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant
19 service and after the institutions have reached an agreement for tuition sharing. Representatives from
20 both institutions will meet at least once each semester to review program operations.

21 Section 245. Section 1 of this Act contains an appropriation of \$237.4 for the Delaware Institute
22 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware
23 relating to the DIVME Program, these funds shall be used to provide tuition support for up to two
24 Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine, up to
25 five Delaware residents accepted to a veterinary medicine program at the University of Georgia, and up to
26 six Delaware residents accepted to a veterinary medicine program at Oklahoma State University.

EDUCATION

Section 246. 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 247. For this fiscal year, employees who have been issued a temporary certificate for a third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary reduction. Employees currently on a temporary certificate as a result of being assigned to an area outside the area of certification shall not receive a ten percent salary reduction.

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

Section 248. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to the State Board of Education and State Board for Vocational Education and Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts outside of the State accounting system and the Fund shall be interest bearing.

Funds shall be utilized to support the activities and operations of Delaware interscholastic athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic Fund will be in accordance with the Division of Accounting budget and accounting procedures.

1 Section 249. Amend 14 Del. C. §1305 (h) by deleting the number “2004” as it appears therein
2 and substituting in lieu thereof the number “2005”.

3 Section 250. Amend 14 Del. C. §1318 (g) by deleting the number “2003” as it appears therein
4 and substituting in lieu thereof the number “2004”.

5 Section 251. Amend 14 Del. C. §1318A (b) (10) by deleting the number “2003” as it appears
6 therein and substituting in lieu thereof the number “2004”.

7 Section 252. Amend 14 Del. C. §1320 by deleting the number “2003” as it appears therein and
8 substituting in lieu thereof the number “2004”.

9 Section 253. Amend 14 Del. C. §1703 (j) by deleting the number “2004” as it appears therein
10 and substituting in lieu thereof the number “2005”.

11 Section 254. (a) The positions included in Section 1 of this Act that are authorized to the
12 Department of Education shall be assigned in the manner shown on the Organization Chart submitted
13 with the Annual Appropriation Act.

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

23 Section 255. For this fiscal year, the inflation factor for the local per pupil payments required
24 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per
25 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),
26 shall be equal to the general salary increase enumerated in Section 8 of this Act.

1 Section 256. Any course offered at a vocational technical high school may be offered in the
2 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the
3 Secretary of Education.

4 Section 257. Section 1 of this Act makes an appropriation to Public Education, State Board of
5 Education and State Board for Vocational Education and Department of Education, State Board of
6 Education and Department of Education (95-01-01) for Educator Certification and Development
7 activities. This appropriation to the Department of Education is intended to offset expenditures in the
8 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;
9 revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;
10 professional recertification and expanding the Alternative Routes to Teacher Certification program.

11 Section 258. Section 1 of this Act provides an appropriation of \$329.5 to Public Education, State
12 Board of Education and State Board for Vocational Education and Department of Education, State Board
13 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the
14 Standards and Assessment program agenda is to support the development and completion of performance
15 indicators.

16 Section 259. Section 1 of this Act makes an appropriation of \$42.0 to Public Education, State
17 Board of Education and State Board for Vocational Education and Department of Education, State Board
18 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall
19 be made available to school students to assist in defraying out-of-state travel expenses associated with this
20 program.

21 Section 260. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State
22 Board of Education and State Board for Vocational Education and Department of Education, State Board
23 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0
24 shall be used by the Department of Education to review and award grants competitively to schools with
25 grades kindergarten through eighth. Programs selected shall provide at-risk children with academic
26 tutoring and instruction, with the involvement of parents and volunteer mentors. School districts shall
27 make direct application to the Department on behalf of individual school buildings, addressing in their

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

9 Section 261. Section 1 of this Act appropriates \$600.0 to Public Education, State Board of
10 Education and State Board for Vocational Education and Department of Education, State Board of
11 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be
12 used to support the development and implementation of automated systems to manage such activities as
13 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills
14 and knowledge supplements; the SREB Learning Connections project; and the accountability reporting
15 system.

16 Section 262. Section 1 of this Act appropriates \$2,120.0 to Public Education, State Board of
17 Education and State Board for Vocational Education and Department of Education, State Board of
18 Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be
19 used to support the implementation of educator accountability initiatives such as skills and knowledge
20 supplements; design and implementation of DPAS II; teacher recruitment and retention programs; and
21 modification of the licensure and certification system. Prior to expending any of these funds, an approved
22 budget must be reviewed and approved by the Secretary of the Department of Education, the Budget
23 Director, and Controller General.

24 Section 263. The Department of Education shall transfer \$100.0 to the Department of Safety and
25 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background
26 checks for all school district employees on a first come, first served basis. State Police shall send
27 quarterly reports to the Department of Education regarding expenditures of said funds.

1 Section 264. 14 Del. C. § 122(e), requires the Department of Education to review all regulations
2 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a
3 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership
4 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted
5 challenging content and performance standards, have aligned assessments to those standards, have
6 established a system of school and district accountability, and allow waiver of State statutory and
7 regulatory requirements relating to education.

8 Given federal approval of the Department of Education’s application for Ed Flex, the Department
9 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility
10 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies
11 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,
12 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.
13 State programs for which waivers may be granted include, but are not limited to, Extra Time, School
14 Climate and Discipline, Academic Excellence, Early Reading Intervention, Student Mentoring, and
15 Professional and Curriculum Development.

16 Section 265. During this fiscal year, the Department of Education is authorized to develop an
17 improved funding structure to provide resources to students with disabilities in the most flexible and
18 equitable manner possible. This proposed structure shall be subject to the approval of the Budget
19 Director and Controller General. Upon receiving such approval, the Department will be authorized to
20 implement this new structure on a pilot basis in two school districts in Fiscal Year 2004 with the intention
21 to implement statewide in Fiscal Year 2005.

22 Section 266. The Delaware Code notwithstanding, during this fiscal year, the Budget Director is
23 authorized to continue funding for issues such as, but not limited to, the number of administrative
24 positions and activity busing for which the State was required to provide funding as a result of a 1978
25 federal court order. This authorization, as it relates to administrative positions, shall apply only to
26 positions filled for employment, and shall not be considered as authorization to fund any cash options
27 pursuant to 14 Del. C. § 13.

1 Section 267. Line item funds appropriated in Section 1 of this Act to Public Education, School
2 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the
3 State Board of Education and State Board for Vocational Education and Department of Education (95-01-
4 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local
5 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state
6 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the
7 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil
8 transportation costs.

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

17 General Fund appropriations to Public Education in appropriation units (95-03-00), (95-04-00)
18 and the Delmar Tuition, General Contingency, Teacher of the Year, and Debt Service appropriations in
19 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for
20 Division I and Division II in 14 Del. C. § 1706 and § 1709.

21 Section 268. Section 1 of this Act makes an appropriation to Public Education, School District
22 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20
23 guaranteed units. In the event that more units are required districts shall receive partial unit funding in
24 proportion to the units available.

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

1 Section 269. Notwithstanding the provisions of 14 Del. C. §1703, the First State School Program
2 shall be guaranteed state funding based upon a minimum of two Division I units. In addition, Section 1 of
3 this Act appropriates \$220.0 to Public Education, Block Grants and Pass Through Programs, Special
4 Needs Programs for the First State School.

5 The Department of Education, Children's Services Cost Recovery Project is authorized to pursue
6 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State
7 School. Students in the program are considered eligible for special education services and have
8 Individual Education Plans in addition to their medical treatment plans. Any funds recovered shall be
9 returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State
10 School operational costs.

11 The Department of Education is authorized to provide the AI duPont Hospital Program annual
12 state funding in an amount not to exceed \$50.0 from funds appropriated in Section 1 of this Act to Public
13 Education, School District Operations, Other Items (95-02-02).

14 Section 270. Section 1 of this Act provides certain appropriations to Public Education, School
15 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.
16 Allocation of these funds shall conform to the following:

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

19 (b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be
20 allocated as follows:

21	1. Caesar Rodney - Americanization	\$ 14.1
22	2. Red Clay - Americanization	113.6
23	3. Margaret S. Sterck -	
24	Residence - Other Costs	85.4
25	Consultant Services	11.0
26	Preschool Summer Program	6.9
27	4. Christina Autistic -	

1	Residence - Other Costs	206.5
2	Contractual Services	11.4
3	5. John G. Leach	50.0
4	6. Sussex Orthopedic School	<u>7.5</u>
5	Total	\$506.4

6 Section 271. (a) Section 1 of this Act makes an appropriation to Public Education, School
7 District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,
8 \$1,500.0 shall be used to provide technical assistance and support to schools rated as school improvement
9 and unsatisfactory performance. The remaining \$100.0 shall be allocated for recognition of schools
10 whose student bodies demonstrate superior absolute performance, superior improvement performance and
11 superior distributional performance. Such recognition shall include special ceremonies and/or the award
12 of plaques or flags.

13 (b) Amend 14 Del. C. §154(c) by deleting the remaining paragraph after the words “plaques or
14 flags;” in its entirety.

15 Section 272. Section 1 of this Act makes appropriations to Public Education, School District
16 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II -
17 Energy Unit shall be valued at \$1,682. A Division II - All Other Costs Unit shall be valued at \$3,247.

18 Section 273. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during
19 Fiscal Year 2004, the sum authorized to the Education Expense and Property Tax Relief Fund shall be
20 allocated as follows:

21	District	Increase Support	Offset Local	
22	Allocation	for Education	Current Expense Taxes	Total
23	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
24	Appoquinimink ILC	18,468	0	18,468
25	Brandywine	0	2,158,200	2,158,200
26	Bush	16,350	0	16,350
27	AI Institute	6,298	0	6,298
28	Brandywine ILC	75,210	0	75,210
29	Christina	0	3,691,830	3,691,830
30	Autistic Program	135,407	0	135,407
31	REACH	53,533	0	53,533
32	Sterck	85,023	0	85,023
33	Christina ILC	170,040	0	170,040

1	Colonial	0	2,001,240	2,001,240
2	Leach	75,576	0	75,576
3	Colonial ILC	42,510	0	42,510
4	Red Clay	0	2,897,220	2,897,220
5	Meadowood	75,576	0	75,576
6	Red Clay ILC	122,811	0	122,811
7	Caesar Rodney	0	567,840	567,840
8	Caesar Rodney ILC	9,204	0	9,204
9	Charlton	47,554	0	47,554
10	Capital	0	728,495	728,495
11	Capital ILC	4,820	0	4,820
12	Kent Orthopedic	16,874	0	16,874
13	Lake Forest	0	412,230	412,230
14	Milford	0	584,661	584,661
15	Milford ILC	5,062	0	5,062
16	Smyrna	0	520,000	520,000
17	Smyrna ILC	5,000	0	5,000
18	Cape Henlopen	0	24,174	24,174
19	Delmar	15,294	109,706	125,000
20	Delmar ILC	1,303	0	1,303
21	Indian River	0	592,680	592,680
22	Laurel	68,060	290,254	358,314
23	Laurel ILC	5,874	0	5,874
24	Seaford	0	263,895	263,895
25	Seaford ILC	6,025	0	6,025
26	Woodbridge	0	125,000	125,000
27	New Castle Vo-Tech	0	834,485	834,485
28	New Castle Vo-Tech ILC	25,192	0	25,192
29	Polytech	0	125,000	125,000
30	Polytech ILC	12,272	0	12,272
31	Sussex Technical	<u>0</u>	<u>0</u>	<u>0</u>
32	Total	\$1,099,336	\$16,450,170	\$17,549,506

33 Section 274. Section 1 of this Act provides an appropriation to School District Operations,
34 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit
35 of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from
36 the district’s entitlement in Fiscal Years 2004 and 2005.

37 Section 275. Section 1 of this Act contains appropriations to the Department of Education,
38 School District Operations of \$614,201.6. These appropriations include a reduction of \$10,000.0 in
39 School District Discretionary Allocation. The Secretary of Education, Budget Director and Controller
40 General (or their designees) shall develop a plan to implement this recommendation for Fiscal Year 2004.
41 First consideration will be given to reductions that will have the least effect on direct services to students.

42 Section 276. Section 1 of this Act provides an appropriation to Public Education, Block Grants
43 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This

1 appropriation shall be allocated by the Department of Education to the following programs/districts:
2 Adult Trade Extension (statewide), Apprentice Program (statewide), James H. Groves High School
3 (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School
4 District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative
5 Secondary Education Program (statewide), Communities in Schools of Delaware (Colonial, Brandywine,
6 and Capital School Districts), Marine Mechanics Apprentice Program (Sussex Technical School District)
7 and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2004, each
8 program shall receive no less than the same allocation from this appropriation as its Fiscal Year 2003
9 allocation.

10 Section 277. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
11 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

12 (a) The following allocations shall be provided:

13 (1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to
14 Certification program, to be used to implement this project in this fiscal year. The
15 remaining \$75.0 may be used for the Summer Institute program.

16 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional
17 and curriculum development activities. Districts shall submit applications to the
18 Department of Education detailing the district's plan for the utilization of these funds.
19 The Department of Education shall review and approve plans and allocate an amount not
20 to exceed \$331.00 per certified employee, based on a district's personnel complement for
21 the 2002-2003 school year. Grants are to be used for developing and implementing
22 curriculum based on the content standards established by the Curriculum Frameworks
23 Commission, as approved by the State Board of Education or for other professional
24 development activities, including, but not limited to: Discipline, Special
25 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
26 Decision Making, local school board member training, and Educational Technology.
27 Districts are encouraged to collaborate as a means of maximizing resources as well as

1 focusing district activities on consistent principles. Grants may be utilized for training,
2 planning, in-service programs and contractual services. The Department of Education is
3 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
4 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final
5 approval of the district application for funding.

6 In the application, districts shall detail the proposed utilization of funds as well as
7 the incorporation of the following criteria:

8 (a) Integration of the proposal with existing resources and programs such as the
9 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,
10 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education
11 and local funds dedicated to Standards and Assessment.

12 (b) Inclusion of local staff in planning of the grant proposal, with representation
13 from all involved in student learning, including all professional employees by
14 category. The plan(s) should focus on overall improved student performance,
15 with a built in level of accountability to determine effectiveness.

16 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall
17 determine, in coordination with the agency (or agencies) operating this program, the goals
18 and objectives of this program, including how it will further the objectives of Standards
19 and Assessment and integrate Shared Decision Making training into the program focus.
20 The Controller General and Budget Director shall ensure that the proposed program is cost
21 efficient and meets the objectives outlined in this section before agreeing to transfer the
22 appropriation from the Department of Education to the operating agency. All expenditures
23 from this allocation shall serve principals from the State of Delaware only.

24 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary
25 teachers to assist new teachers through leadership and guidance, and includes a training
26 component in order for teachers to become better mentors. This funding level allows for
27 a statewide program.

1 (5) \$550.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition
2 reimbursement for summer school courses. This allocation provides, at the discretion of
3 the Department of Education, for the possible operation of a tuition reimbursement
4 program for the purpose of reimbursing public school employees and teachers employed
5 by state agencies for tuition payments for graduate college courses, including Early
6 Childhood Education courses, or courses in an Education Technology Certificate
7 Program. Funds may only be used to reimburse certificated non-administrative
8 employees. No payment shall be made unless the course taken relates to the employee's
9 job assignment and is taken with the prior approval of the employing district board,
10 superintendent or state agency. Local school district boards of education are required to
11 prioritize the allocation of the funds they receive to support the educational advancement
12 efforts of regular education teachers taking special education and/or mainstreaming
13 related courses and other educational priorities established by the local boards of
14 education based on staff development goals or to ameliorate identified deficiencies. This
15 allocation may be used by local school districts to defray the costs for teachers seeking
16 application for National Board Certification from the National Board for Professional
17 Teaching Standards.

18 Reimbursement for tuition may be made for courses taken during summer
19 school or during the academic year for which a passing grade of B or better is obtained.
20 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a
21 course with an equal number of credit hours at the University of Delaware. Of the total
22 allocation made by Department of Education, a minimum of .75 percent shall be
23 allocated to state agencies and the balance shall be allocated to school districts in
24 amounts equal to each school district's proportion of Division I units to the total number
25 of Division I units statewide on September 30, 2003. Any funds not expended by a
26 school district or a state agency shall be transferred to other districts or agencies. In the
27 event that any district's allocation is not sufficient to provide total reimbursement to all

1 eligible employees, the district shall pro-rate the funds so that each eligible employee
2 receives a share of the total district allocation equal to the individual employee's
3 reimbursable expenditure divided by the total reimbursable expenditure of all employees
4 in the district multiplied by the district allocation. Funding for each school district shall
5 be divided into two equal parts. The first one-half shall be prorated as described above
6 among eligible employees who complete their courses prior to February 1, 2004. The
7 second one-half shall be prorated as described above among eligible employees who
8 complete their courses prior to June 15, 2004. In the event that funds remain in either
9 half year, the district shall be authorized to reallocate those funds to reimburse eligible
10 employees in the other portion of the year who did not receive full reimbursement. This
11 section shall supersede collective bargaining agreements to the contrary.

12 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of
13 release time of exemplary teachers in the content areas in which the State Board of
14 Education has adopted content standards, who will provide assistance to districts on a
15 statewide basis in designing, demonstrating and implementing best teaching practices in
16 the development of curriculum to meet the established standards. The Department of
17 Education is authorized to transfer 50 percent of the estimated district grant amount by
18 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days
19 of the final approval of the district application for funding.

20 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
21 will be allocated to the University of Delaware and \$169.1 to Delaware State
22 University to fund summer programs for the professional development of teachers. It is
23 intended that curriculum of the summer classes offered through this program, to
24 teachers and aides, be consistent with the curriculum standards which are currently
25 under development or have previously been adopted by the State Board of Education.
26 Both the University of Delaware and Delaware State University shall incorporate into
27 their Summer School for Teachers course structure, the appropriate and necessary

1 elements that will enable participants to develop relevant classroom curriculum as well
2 as to gain additional exposure to best teaching practices in the standardized content
3 areas. The Department of Education shall continue to make staff available to assist each
4 institution in the preparation of the summer coursework. Future budget requests for
5 this program will be made by the Department of Education in their annual budget
6 request, following consultation with the University of Delaware and Delaware State
7 University.

8 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and
9 curriculum development activities in the content areas of reading and social studies.
10 The Department of Education shall determine, in coordination with the agency (or
11 agencies) performing such activities, the training goals and objectives, including how
12 the objectives of Standards and Assessment will be furthered. The Department of
13 Education, Controller General and Budget Director shall ensure that the proposed
14 development activities are cost efficient and meet the objectives outlined in this section
15 before agreeing to transfer the appropriation from the Department of Education to the
16 operating agency.

17 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of
18 Education shall determine, in coordination with the agency (or agencies) operating this
19 program, the goals and objectives of this program, including how it will further the
20 objectives of Standards and Assessment. The Department of Education, Controller
21 General and Budget Director shall ensure that the proposed program is cost efficient and
22 meets the objectives outlined in this section before agreeing to transfer the appropriation
23 from the Department of Education to the operating agency.

24 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,
25 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
26 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the
27 creation of a Reading to Reading Cadre which will provide assistance to districts in

1 designing, demonstrating and implementing best practices in reading instruction. Such
2 position shall be responsible for curriculum alignment and professional development in
3 reading for district educators.

4 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by
5 the Department of Education for administrative costs during the coordination of teachers
6 seeking national certification from the National Board for Professional Teaching
7 Standards (NBPTS). Recognizing the effort involved in pursuing such certification as
8 well as the value it will bring to Delaware teachers and students, a NBPTS certification
9 obtained under this program by an individual paid under 14 Del. C. §1305, excluding
10 superintendents, assistant superintendents, directors, and individuals employed in non-
11 instructional areas detailed in Section 1312(c), and employees at the Department of
12 Education shall result in a salary supplement as specified in 14 Del. C. §1305 (m). The
13 salary supplement shall be based upon the 10-month base state salary scale for teachers.
14 The Department of Education shall report annually to the Budget Director and
15 Controller General the number of NBPTS certificates obtained under this program. The
16 NBPTS salary supplement shall be valid for a period not to exceed ten years.

17 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of
18 Education to design a program for implementation of a career pathway for school
19 district paraprofessionals at Delaware Technical and Community College.

20 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the
21 Department of Education for professional accountability and instructional advancement activities.

22 Section 278. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
23 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
24 \$25,522.2 shall be used to fund units for academic excellence in the school districts in accordance with 14
25 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number
26 of Division I Units each district enrolls on the last school day in September. School districts may use the
27 funds to: purchase computer hardware, software or services; calculators; library resources; fund

1 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district
2 is entitled to less than one nurse per school; provide a student work-study program; provide conflict
3 resolution training; provide extended day or extended year programs for students performing below the
4 standard level; and provide stipends for professionals engaged in curriculum or professional development
5 activities sponsored by a local school district or the Department of Education, outside of the regular
6 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide
7 services. No homebound funds may be spent to provide services to students who have been suspended or
8 expelled from school, except for special education students. The State Board of Education shall provide
9 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director
10 and Controller General no later than December 1 of each year.

11 Section 279. For the fiscal year beginning July 1, 2003, any local school district that has had two
12 consecutive failed current expense tax referendums during the time period July 1, 2001 to January 1,
13 2004, is authorized to exercise the cash option on Academic Excellence units up to the total number of
14 units provided under that program. This provision will apply for Fiscal Year 2004 only. In addition,
15 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
16 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
17 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

18 Section 280. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block
19 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It
20 is the intent that this money be used to provide summer programs including an eighth grade program in
21 environmental heritage.

22 Section 281. Section 1 of this Act provides an appropriation of \$242.2 to Public Education,
23 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD
24 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the
25 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
26 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs
27 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

1 Section 282. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block
2 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
3 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
4 summer school program, for college credit, for gifted and talented students.

5 Section 283. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,
6 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
7 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolfrap
8 program. The Department of Education shall transfer this appropriation to the University of Delaware,
9 which acts as the fiscal agent for this statewide program.

10 Section 284. Section 1 of this Act provides an appropriation of \$195.2 to Public Education
11 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
12 Economic Education. Of this amount, \$29.1 is appropriated to develop a pilot program to test a
13 professional development model for systematically training teachers in content and pedagogy and
14 provide them with ongoing support in the classroom.

15 Section 285. In order that the children for whom the learning disability and socially or
16 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such
17 children, the Department of Education shall require strict adherence to approved guidelines before release
18 of any funds designated for such children. The Department of Education shall particularly ascertain that
19 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are
20 developed to determine eligibility of socially or emotionally maladjusted children so that this category
21 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious
22 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally
23 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made
24 at least every three years. The Department of Education will report annually to the Budget Director and
25 Controller General on or before April 1 on the actions and results of actions required by this section.

26 Section 286. Section 1 of this Act makes an ASF appropriation to Public Education, Block
27 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services

1 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation
2 and operation of the project for the fiscal year ending June 30. Local school district participation shall
3 be on a district-wide basis.

4 The following resources are appropriated to operate the Children's Services Cost Recovery
5 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional
6 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel
7 which, pursuant to this section, are passed through to the local school district shall be dedicated to
8 implementing the Children's Services Cost Recovery Project.

9 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be
10 located at the Department of Education. The Department of Education is hereby permitted to authorize
11 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this
12 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial
13 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
14 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
15 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and
16 § 1309, including the local salary supplement in place at the employing local school district.

17 All revenue generated through the cost recovery project from local school district sources will,
18 after the deduction of all operational project costs, be divided between the State General Fund and the
19 local school district's operating funds in a proportion that equals the original sharing of expenses. Any
20 funds returned to a local school district that were generated through recovery on non-transportation
21 services provided by a tuition-based special school must be made available to the special school for
22 expenditure at the special school.

23 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future
24 recoveries on a similar basis as indicated above.

25 Section 287. For the purpose of participating in the Children's Services Cost Recovery Project,
26 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
27 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §

1 1092, shall be considered in compliance with qualification standards equivalent to state licensure to
2 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
3 limited to the delivery of services related to State Board of Education or local school district approved
4 school programs conducted within the course of the regular school day at a State Board of Education or
5 local school district approved school site or least restrictive environment location. The provisions of
6 this section shall in no way be construed as entitling a person not otherwise qualified to do so to
7 represent himself to the public by any title or description of services incorporating the words
8 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
9 as may be herein specifically provided.

10 Section 288. The Interagency Resource Management Committee (IRMC) fosters an interagency
11 approach in coordinating the delivery of early care and education services in Delaware, and the
12 establishment and operation of the Office of Early Childhood.

13 The IRMC will coordinate the implementation of the recommendations of the October 1999
14 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",
15 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the
16 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal
17 year. Each report shall include:

- 18 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 19 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

20 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this
21 section.

22 The Budget Director and Controller General are hereby authorized to transfer funds among the
23 budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the
24 department, as the case may be, to which the funds were previously allocated. Such transfers shall be
25 intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early
26 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant
27 director and a clerical support position. Funding shall be provided by the Department of Health and

1 Social Services and the Department of Services for Children, Youth and Their Families no later than July
2 of each fiscal year to support the operational costs associated with the assistant director and clerical
3 support positions. Funds allocated in this section are to be used to support the work of the Office and to
4 continue the interagency evaluation process for Delaware's early childhood programs.

5 Section 289. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
6 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

7 (a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe
8 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the
9 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex
10 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must
11 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among
12 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be
13 utilized for improvement of academic programs and \$200.0 will be utilized for extended year
14 opportunities. If funds provided under this section are used for costs associated with teachers and aides,
15 as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.
16 Programs receiving funds under this section may utilize no more than \$200.0 in total from Pupil
17 Transportation (95-04-01) for transportation expenses.

18 (b) A total of \$7,519.3 is authorized for disruptive students at the school and district levels. The
19 base incentive grants shall be provided to all school districts in the State as follows:

20 Schools grades K-6:	\$30.0
21 Schools grades 7-12:	\$40.0

22 If funds provided under this section are used for costs associated with teachers and aides, as
23 provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

24 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to
25 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and
26 certification in the district's grant application that the school is in compliance with the provisions of the
27 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

1 Districts may allocate these funds among their schools in an amount other than indicated by the
2 funding allocation formula. The allocations by school shall be specified in the consolidated application.
3 Furthermore, the consolidated application shall contain an assurance indicating the local school board has
4 reviewed and approved the application.

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 \$3,290.2 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) \$3,290.2 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

1 may create the necessary positions with the approval of the Delaware State Clearinghouse
2 Committee and maintain an ASF or NSF account with sufficient spending authority to
3 operate the program.

4 (ii) For purposes of implementing (i) above, the Department of Education and the Department
5 of Services for Children, Youth and Their Families shall administer a competitive Request
6 for Proposal (RFP) process to determine grant awards to local districts. Grant awards shall
7 be for a period of 12 months. Factors that may be utilized in the evaluation of proposals
8 can be, but are not limited to, the following: links to Part II discipline funding or other
9 district resources; the use of collaborative partnerships; the relative need of the local
10 school district community; and the recognition within a proposal of the need to provide
11 services to meet the presenting problems of both the child and the family. To the extent
12 possible, the Department of Services for Children, Youth and Their Families is authorized
13 to pursue Medicaid cost recovery for eligible services provided to Medicaid eligible
14 children. Funds resulting from these efforts may be used to expand these services with
15 prior approval of the Budget Director and Controller General.

16 Section 290. Section 1 of this Act provides an appropriation to Public Education, Block Grants
17 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only
18 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would
19 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all
20 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the
21 school districts and other ICT agencies.

22 Section 291. Any placement made pursuant to 14 Del. C. § 3124 in which the individual
23 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

24 Section 292. Section 1 of this Act provides an appropriation to Public Education, Block Grants
25 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
26 Vocational. This appropriation shall be used to continue the program of vocational education for
27 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a

1 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week
2 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding
3 otherwise provided under 14 Del. C. § 1703(d).

4 Section 293. (a) Section 1 of this Act provides an appropriation to Public Education, Block
5 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in
6 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low
7 achieving students in order that they may improve their academic performance in the four primary content
8 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state
9 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's
10 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative
11 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to
12 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,
13 up to 50 percent may be used within the normal school day provided the services are in the form of
14 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the
15 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this
16 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant
17 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the
18 district application for funding.

19 (b) The following criteria shall apply to each of the components of the Extra Time for Students
20 Program.

21 (1) In order to qualify for an allocation, each district shall submit an application to the
22 Department of Education as part of the districts' consolidated application. The
23 application must show evidence of building level staff involvement in the development of
24 the district proposal.

25 (2) The application provided to the Department of Education shall indicate the student
26 populations to be served, the type of program(s) proposed, the levels of academic
27 improvement the additional services are intended to achieve, and the measurement and/or

1 evaluation process the district will use to determine program effectiveness. Associated
2 transportation costs shall also be included in the district application.

3 (3) Funding for this component shall only be used for academic instruction or remediation
4 programs that are offered to a targeted population of low achieving students. Should
5 funds be used during the regularly scheduled six and one half hour school day, said funds
6 must be used to hire additional instructional staff to provide additional instruction or
7 remediation to the targeted population in one of the four core curriculum areas. Prior to
8 the expenditure of funds during the regular school day, districts must obtain the approval
9 of the Secretary of Education, Budget Director and Controller General and must certify to
10 the Secretary of Education, Budget Director and Controller General that sufficient
11 resources remain to operate the mandated summer school program. The Department of
12 Education shall promote the use of “Best Practices” in this area through all available
13 means.

14 (4) Funds appropriated pursuant to this section may not be used for curriculum development
15 or staff training functions, but may be used for the purchase of supplies and materials
16 necessary to operate extra time programs. To the extent that these funds are used to pay
17 salary expenses of district instructional staff, these funds may only be used for costs
18 associated with the state share of salaries, as provided under 14 Del. C. § 1305.

19 (5) In order to maximize resources provided under this program, local school districts are
20 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the
21 provisions of 14 Del C. § 1902(b).

22 (6) Local school districts may use funds appropriated pursuant to this section to contract with
23 private or non-profit instruction or tutoring services provided that there is evidence of
24 building level conversations regarding contracted services.

25 (7) If, after the applications are received by the Department of Education, a local district does
26 not choose to utilize the full amount to which they are entitled, the Department of
27 Education may allocate any remaining amount through a competitive RFP process.

1 (c) The following criteria shall apply to the component of the program that serves students in any
2 grade levels:

3 (1) Allocations for this component shall be provided in proportion to the total Division I
4 units in each school district, multiplied by the state portion of the average teacher salary
5 in the district in the immediately preceding fiscal year.

6 (d) The following criteria shall apply to the Early Intervention Reading Program for which
7 \$400.0 is to be utilized.

8 (1) This funding shall serve students in kindergarten through third grade who are identified
9 during their kindergarten and first grade years as being inadequately prepared to succeed
10 in reading or are performing below grade level.

11 (2) This funding shall be utilized exclusively to provide supplemental services or teaching
12 methods designed to improve the reading abilities of students with the goal being that
13 they achieve and maintain their appropriate grade level reading ability. These services
14 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.
15 The school districts are strongly encouraged to use programs including, but not limited
16 to, Reading Assist and other research based multi-sensory programs.

17 (3) The funding for this component may provide services outside of the normal school
18 operation timeframe as specified in subsections (c) and (d) of this section, or may be used
19 during the regular school day, provided however that the services being offered are
20 supplemental to the reading instruction the student would otherwise normally receive.

21 (e) The Department of Education shall determine common data definitions and data collection
22 methodologies for each program in this section. Districts shall use such definitions and methodologies
23 and shall provide information as requested by the Department of Education. This information shall
24 include but not be limited to the following: state identification number for each student served, total
25 number of program contact hours per student, content area(s) addressed, and evidence of academic
26 improvement. The Department of Education shall prepare a statewide management report to identify
27 needs for program improvement and best practice.

1 Section 294. Section 1 of this Act appropriates 33.7 FTEs, of which up to 4.0 shall be authorized
2 as teachers/supervisors, 25.7 authorized as teachers, 3.0 authorized as secretaries for the Department of
3 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of
4 employees for the prison education program shall be the same as the qualification for employees in the
5 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job
6 responsibilities and duties developed by the Department of Education.

7 Salary for employees in the prison education program when paid from funds of this State, shall be
8 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so
9 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the
10 ten month amount shall be multiplied by 1.1 or 1.2 respectively. Employees whose primary job location
11 is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit
12 System. Teachers/supervisors shall receive an administrative supplement of four to eight percent to be
13 determined by the Department of Education with the approval of the co-chairs of the Joint Finance
14 Committee.

15 Students served under this program shall not be included in the calculation for unit count
16 purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may transfer funds
17 between lines and departments to pay for this program.

18 Section 295. Any provisions of the Delaware Code to the contrary notwithstanding, the
19 Department of Education is authorized and directed to provide aides for the purpose of providing
20 mainstreaming services to deaf students as follows: three in Capital School District, two in Cape
21 Henlopen School District, one in Seaford School District, and one in Milford School District.

22 Section 296. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
23 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep
24 Consortium is formed to provide for overall program development and management, coordination and
25 technical assistance. The Consortium will review and provide technical assistance and in-service training
26 for each proposal submitted to the Department of Education by any partnership initiating or operating a

1 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations
2 and federal legislation.

3 The Consortium Board of Directors shall include: the President or designee of the Delaware
4 Technical and Community College; the Superintendents of New Castle County Vocational-Technical
5 School District, Polytech School District and the Sussex County Technical School District; the State
6 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of
7 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware
8 State University and Wilmington College and one representative of business and industry. The
9 superintendent or designee of two comprehensive local school districts will also be appointed
10 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three
11 counties, on all campuses of Delaware Technical and Community College and other postsecondary
12 institutions as specified by the Consortium consistent with federal legislation. All secondary schools
13 are eligible.

14 Polytech School District will act as financial agent for the Consortium and an annual financial
15 and program report will be submitted to the co-chairs of the Joint Finance Committee.

16 The Consortium may select another member to serve as the financial agent in a subsequent year
17 consistent with the rules and procedures it adopts.

18 Section 297. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and
19 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.
20 Such funds shall be utilized to develop innovative after school programs to provide additional academic
21 support and enrichment for students. Funding shall provide approximately six to ten pilot programs
22 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private
23 businesses. The Department of Education shall administer a competitive grant process focused on the
24 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware
25 content standards; enrichment programs incorporating both traditional and non-traditional approaches;
26 and outreach to parents, especially those who are reluctant to interact with schools.

1 Section 298. Section 1 of this Act makes an appropriation to the State Board of Education, Block
2 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,
3 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

4 The Department of Education shall administer an application process to determine grant awards
5 to local districts.

6 If funds provided under this section are used for costs associated with teachers and aides, funds
7 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

8 Section 299. Section 1 of this Act appropriates \$2,729.2 to Public Education, Block Grants and
9 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. The Department of
10 Education is authorized to provide Reading Resource Teachers to elementary schools based upon
11 demonstrated need. Demonstrated need shall be determined by the largest percentage of third and/or
12 fifth-grade students scoring below the standard on the reading component of the 2000 DSTP. This
13 funding shall provide one Reading Resource Teacher to the 50 schools with the highest percentage of
14 third and/or fifth-grade students scoring below the standard on the reading component of the 2000 DSTP.
15 Reading Resource Teachers shall provide direct reading instruction to students which must include
16 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading
17 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading
18 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.
19 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with
20 documented classroom success in teaching reading.

21 This appropriation will provide qualifying schools within districts the state share of salaries in
22 accordance with 14 Del. C. §1305 for 10-month Reading Resource Teachers, as well as the appropriate
23 per unit amount of Division III funding. In order to maximize resources provided under this program
24 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the
25 provisions of 14 Del. C. §1902(b).

26 Section 300. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,
27 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This

1 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
2 adopted by the Joint Finance Committee on April 16, 1981.

3 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2004,
4 shall be allocated and shall not exceed \$56,469.5 (of which \$4,214.3 is designated as a transportation
5 contingency for the Charter and Choice initiatives), according to bus contract or district transportation
6 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
7 amendments and procedural modifications:

8 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state
9 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28
10 per gallon for contractors. For districts and contractors north of the Chesapeake and
11 Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank
12 (5,000 or more gallons). In the case of contractors located south of the Chesapeake and
13 Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275
14 - 1,900 gallons). Upon determination by the Department of Education that a contractor
15 located North of the Chesapeake and Delaware Canal and operating five or fewer buses
16 does not have existing storage capacity in the large tank range, the per gallon price shall
17 be based on the smaller tank size.

18 (2) The Fiscal Year 2004 operating allowance will be adjusted for inflation by a rate of 0.67
19 percent.

20 (3) For the fiscal year ending June 30, 2004, the allowable cost of a new bus purchased by
21 a contractor shall be the Fiscal Year 2003 state bid price for new buses minus two
22 percent for salvage value, plus eleven percent to account for dealer charges and profits
23 not reflected in the state bid price due to the higher number of buses being purchased
24 and the lag time between the ordering and delivery. The Department of Education
25 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining
26 the allowable cost for any size bus that it did not bid in Fiscal Year 2003. In addition
27 to the procedure for establishing the allowable cost of a new bus specified above, the

1 Department of Education is requested to structure its bids for buses in the fiscal year
2 ending June 30, 2004, in such a manner that public school bus contractors will be
3 permitted to purchase buses from the successful lower bidder at the same price as the
4 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
5 base bid of an awarded contract minus two percent for salvage value will be the
6 allowable cost in subsequent reimbursements to the contractor.

7 (4) The formula rate for reimbursing public school bus contractors for the cost of liability
8 insurance shall be determined by the Department of Education in consultation with the
9 Insurance Commissioner based on the data available on April 30 of the previous fiscal
10 year.

11 (c) The Department of Education shall amend its transportation formula to permit replacement of
12 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle
13 which has operated 150,000 school-related miles regardless of the age of the vehicle.

14 (d) The Department of Education is authorized to amend its formula to allow the purchase of
15 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer
16 available.

17 (e) Except as specified in this section, or for changes in the price of gasoline, or for the
18 adjustments of those items changed by state or federal laws, the Department of Education shall not
19 change the transportation formula unless the change has been authorized by the General Assembly and
20 an appropriation therefore has been made by the General Assembly.

21 (f) The Department of Education is authorized to amend its formula such that automatic
22 transmission shall be considered standard equipment on contractor and school district bus purchases.

23 (g) The Department of Education is authorized to amend its transportation formula to change the
24 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-
25 gallon.

26 (h) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a
27 maximum of twelve air conditioned buses to transport special need students. The Department of

1 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be
2 required to transport special education students that have a medical need for air conditioning (specified by
3 a physician), and that go to a special education school.

4 Section 301. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the
5 Department of Education, modifications requested by charter schools associated with the provision of
6 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be
7 considered a minor modification.

8 Section 302. Notwithstanding any other provisions of the Delaware Code or this Act to the
9 contrary, the Department of Education is authorized to approve and provide funding for additional
10 transportation routes necessary to support the Seaford School District's pilot implementation of a
11 balanced calendar schedule, beginning in Fiscal Year 2003.

12 Section 303. (a) During the fiscal year, the Department of Education is hereby directed to
13 provide bus transportation of public school students previously declared ineligible by the Unique Hazards
14 Committee, including the following:

- 15 (1) Students attending the Stanton Middle School who are now forced to walk along
16 Telegraph Road with a constant threat of injury.
- 17 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh
18 Road with a constant threat of injury.
- 19 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,
20 who attend the Seaford schools, grades K-6.
- 21 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north
22 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 23 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School
24 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street
25 to duPont Street on the east-west grid.
- 26 (6) Students attending Newark High School who live in Windy Hills and are forced to walk
27 along Kirkwood Highway with a constant threat of injury.

- 1 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east
2 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 3 (8) Students attending Delcastle Technical High School who live in Newport and are forced
4 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 5 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route
6 13A south of Bridgeville, and students living west of Bridgeville who must travel along
7 Route 404 or Route 18.
- 8 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area
9 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk
10 along U.S. 13 in order to reach school.
- 11 (11) Students attending the Concord High School who live south of Naamans Road in the
12 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk
13 along Grubb and/or Naamans Road with a constant threat of injury.
- 14 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of
15 Laurel and the surrounding areas.
- 16 (13) Students attending Dover High School who live in Old Sherwood, south of Waples
17 Avenue.
- 18 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk
19 along Bellevue Road.
- 20 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross
21 over and/or walk along River Road between Lore and Bellevue.
- 22 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along
23 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of
24 injury.
- 25 (17) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4
26 at Pierson Drive intersection.

- 1 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary
2 School.
- 3 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the
4 railroad tracks.
- 5 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of
6 Bridgeville to Bridgeville north of town limits including streets with access to that part of
7 Route 13A.
- 8 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney
9 Brook areas, students who reside in the Woodacre Apartments and students who live
10 along Peachtree Road.
- 11 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and
12 Eden Ridge who must cross Concord Pike.
- 13 (23) Sussex Central High School and Georgetown Elementary School students who live east
14 of Bedford Street.
- 15 (24) Lombardy Elementary School students who must cross Foulk Road.
- 16 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 17 (26) Students attending the Colwyck Elementary School who live in the Landers Park and
18 Swanwyck Gardens residential areas.
- 19 (27) Students attending Central Middle School, living in the area south of Kent General
20 Hospital, to include students living along and south of Westview Terrace, Dover Street,
21 Hope Street and Sackarackin Avenue.
- 22 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 23 (29) Students attending Brandywine High School who live in Concord Manor and are forced
24 to walk along Shellpot Drive and Windley Hill.
- 25 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School
26 in the Smyrna School District who live on Buresch Drive.

1 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between
2 Naamans Road and Marsh Road, any child currently receiving bus transportation by the
3 Brandywine School district who lives along Grubb Road (between Naamans Road and
4 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between
5 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from
6 school.

7 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend
8 Darley Road Elementary School.

9 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and
10 Westfield who must cross Limestone Road.

11 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the
12 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.

13 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap
14 Pike.

15 The transportation of the students specified herein shall continue until the funds requested are
16 appropriated and construction is completed. Spur routes shall continue to be served as at present.

17 Section 304. Notwithstanding the provisions of any state law to the contrary, the Red Clay
18 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
19 from routes to and from the Cab Calloway School of the Arts and Brandywine Springs Elementary
20 School.

21 Section 305. During the fiscal year, the Department of Education will continue and broaden
22 implementation of the computerized routing system for school bus transportation. During this
23 implementation, the Department is directed to continue to provide bus transportation services to any
24 residential area which has received transportation services since October 1, 1977.

25 Section 306. The National Highway Traffic Safety Administration (NHTSA) is conducting a
26 research program to consider alternative methods of potentially improving federal school bus passenger
27 crash protection requirements. Based upon NHTSA's report, the Department of Education will

1 recommend changes to the Delaware school bus specifications so that all school buses will continue to be
2 in compliance with federal safety standards.

3 Section 307. During the fiscal year, the Department of Education is hereby directed that students
4 attending the Woodbridge School District, who live in the Canterbury Apartments in Bridgeville, will
5 embark and disembark in the parking lot of the apartment complex in lieu of the bus stop area along the
6 heavily traveled U.S. 13.

7 Section 308. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)
8 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following
9 reimbursement methodology is in effect:

10 (a) For those school districts or private contractors who are operating school buses equipped with
11 cellular phone technology or have no radio or telephonic communication equipment, the
12 Department of Education is authorized to bring said districts and contractors under a State
13 negotiated cellular phone contract such that the State shall pay one-half of the costs
14 associated with the monthly connect charge, subject to the availability of funds.

15 (b) For those school districts or private contractors who are operating school buses equipped with
16 radio equipment, the department is authorized to reimburse said districts or contractors one-
17 half of the installation cost of the radio equipment on a one-time basis.

18 Section 309. The provisions of this Act to the contrary notwithstanding, consistent with the
19 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional
20 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra
21 Time for Students and Minor Capital Improvements program will not be required to submit an application
22 to the Department of Education. Any funds received as a result of the allocation of these programs may
23 be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

24 Section 310. Section 1 of this Act makes an appropriation to the Delaware Higher Education
25 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the
26 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$220.0 shall be
27 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;

1 \$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$64.2 for the Charles
2 L. Hebner Scholarship; and \$50.0 for Critical Teacher Scholarships. Any Herman M. Holloway Sr.
3 Scholarship Program funds remaining after payment of the Holloway Scholarships, may be awarded to
4 Delaware State University students with financial need who applied to the Scholarship Incentive
5 Program.

6 Section 311. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
7 the SCIP program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any
8 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the
9 subsequent year with approval of the Department of Education.

10 Section 312. Notwithstanding any other provision to the contrary, effective July 1, 2004, the
11 Department of Education shall implement a staff integration plan for the Delaware Higher Education
12 Commission. For the fiscal year, in accordance with policies and procedures agreed upon by the Joint
13 Finance Committee, Budget Director and Controller General the following position numbers and
14 corresponding salaries shall be in effect:

15	#00052383	Accountant I	\$30,626
16	#00056437	Higher Education Analyst	\$44,521
17	#00069720	Higher Education Analyst	\$42,938
18	#00081644	Data Analyst	Vacant
19	#00052384	Administrative Management	\$54,759
20	#00052382	Administrative Assistant I	\$27,203
21	#00052395	Appointed Official	Salary set pursuant to Section 10
22			of this Act

23 Upon vacancy of any of the positions listed above, the Department of Education shall review said
24 vacant position with respect to current responsibilities and salary classification and shall submit any
25 recommended changes to the Budget Director and Controller General for approval.

26 Section 313. Section 1 of this Act makes an appropriation of \$100.0 to the Delaware Higher
27 Education Commission (95-08-01) for the National Board Certification Loan Program. DHEC shall

1 administer a non-competitive loan program for educators pursuing certification from National Board for
2 Professional Teaching Standards. Loans shall be made to cover costs associated with the application fee
3 and assessment process. If there are more individuals requesting funds than funds appropriated, DHEC
4 shall prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years
5 of achieving National Board Certification or within three years from the start of the program whether the
6 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the
7 borrower must repay all funds received with interest as determined by the Delaware Higher Education
8 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is
9 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

10 Section 314. The Delaware Higher Education Commission is hereby authorized to use up to
11 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the
12 recognition of students who are awarded scholarships associated with that appropriation.

13 Section 315. For Fiscal Year 2004 Legislative Essay Scholarships will be funded through Fiscal
14 Year 2003 continuing appropriations.

15 Section 316. During the fiscal year, the Department of Education, with the approval of the State
16 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
17 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with
18 disabilities and their parents where required by federal or state law, and/or departmental regulation. For
19 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the
20 Department of Education is authorized to engage the professional services of a cadre of single hearing
21 officers to preside over such hearings.

22 Section 317. The Brandywine School District Board shall maintain as a stand alone program its
23 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine
24 Academically Gifted Program) at least through the end of the 2004 - 2005 school year. The program shall
25 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently
26 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,

1 recruitment, assessment of students for entry into the program, curriculum development, teacher
2 assignment and other support elements as currently exist.

3 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to
4 its configuration as a stand alone program at its current locations prior to July 1, 2003.

5 Section 318. The Department of Education shall continue to work towards the collection of
6 school-level financial data. To this end, when processing transactions in the Delaware Financial
7 Management System (DFMS), local school districts shall use a standard set of internal budget units and
8 micro-budget units consistent with the set piloted during Fiscal Year 2003.

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SYNOPSIS
This Bill is the Fiscal Year 2004 Appropriation Act.