



SPONSOR: Sen. Cook      Rep. DiPinto  
                  Bunting         Buckworth  
                  Henry           D. Ennis  
                  Vaughn          Fallon  
                  Amick           Houghton  
                  Cloutier         Williams

DELAWARE STATE SENATE

142nd GENERAL ASSEMBLY

SENATE BILL NO. 320

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

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

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

9           The several amounts hereby appropriated are as follows:

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# DEPARTMENTS

Year ending June 30, 2005

## (01-00-00) LEGISLATIVE

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Personnel		
NSF	ASF	GF
		29.0
		29.0

**(01-01-01) General Assembly - House**

Personnel Costs  
 Travel  
     Mileage - Legislators  
     Other - Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Expenses - House Members  
     House Committee Expenses

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			4,103.1
			58.2
			37.6
			400.0
			40.0
			30.0
			323.6
			30.0
			5,022.5

**(01-02-01) General Assembly - Senate**

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

		18.0
		18.0

	2,467.4
	52.3
	20.2
	192.0
	35.0
	45.0
	25.0
	175.1
	75.0
	3,087.0

**(01-05-01) Commission on Interstate Cooperation**

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

	20.0
	100.0
	40.0
	0.5
	146.9
	434.0
	85.5
	3.0
	3.0
	25.0
	2.0
	859.9

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(01-08-00) Legislative Council</b>	
					<b>(01-08-01) Research</b>	
		19.0				1,157.4
						18.3
						165.1
						119.7
						30.0
						4.5
						55.0
						38.5
		19.0				1,588.5
					<b>(01-08-02) Office of the Controller General</b>	
		15.0				1,187.9
						14.4
						414.1
						70.0
						2.0
						8.3
						15.0
						10.0
						25.0
						10.0
						50.0
						25.0
						50.0
						20.0
						30.0
		15.0				1,931.7
					<b>(01-08-03) Code Revisors</b>	
						1.1
						220.8
						0.5
						222.4
					<b>(01-08-06) Commission on Uniform State Laws</b>	
						17.0
						18.1
						0.2
						35.3
		34.0				3,777.9
		<b>81.0</b>				<b>12,747.3</b>

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

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Personnel		
NSF	ASF	GF

11.3		27.0
11.3		27.0

		27.0
11.3		27.0
11.3		27.0

**(02-01-00) Supreme Court**

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

**TOTAL -- Supreme Court**

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

	9.5	2,326.1
	6.8	13.4
	121.4	83.1
	5.0	38.1
	6.7	
		1.0
149.4		2,461.7

149.4	2,461.7
149.4	2,461.7

**(02-02-00) Court of Chancery**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- Court of Chancery**

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

448.7	2,294.9
5.5	13.0
985.8	55.7
37.5	26.0
35.0	
1,512.5	2,389.6

1,512.5	2,389.6
1,512.5	2,389.6

**(02-03-00) Superior Court**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- Superior Court**

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

	15,723.2
	53.2
	962.5
	229.7
	56.0
	17,024.6

	17,024.6
	17,024.6

**(02-06-00) Court of Common Pleas**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- Court of Common Pleas**

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

166.3	6,781.1
	11.0
	182.1
	91.2
4.0	7.1
170.3	7,072.5

170.3	7,072.5
170.3	7,072.5

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

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Personnel		
NSF	ASF	GF
1.0	64.0	261.0
1.0	64.0	261.0

**(02-08-00) Family Court**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Child Protection Registry Appeals  
**TOTAL -- Family Court**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,984.1	13,964.0
		12.3	30.0
		217.5	440.1
		62.2	126.3
		48.0	
		108.4	
		3,432.5	14,560.4

1.0	64.0	261.0
1.0	64.0	261.0

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

3,432.5	14,560.4
3,432.5	14,560.4

		246.5
		246.5

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

	12,008.8
	9.4
	1,250.7
	93.2
	131.2
	12.5
	341.0
	13,846.8

		246.5
		246.5

(-10) Justices of the Peace Courts  
**TOTAL -- Internal Program Unit**

	13,846.8
	13,846.8

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

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Personnel		
NSF	ASF	GF

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

3.0		77.5
3.0		77.5

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		\$ Line Item	
ASF	GF	ASF	GF

			4,456.0
			32.5
			1,154.5
			19.6
			441.6
			220.9
			60.0
			33.3
			424.8
			1,767.8
			200.0
			415.1
			50.0
			209.1
			125.3
		33.4	356.9
		33.4	9,967.4

3.0		32.0
		8.0
		34.0
		3.5
3.0		77.5

(-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**

33.4	6,096.7
	476.9
	2,919.2
	474.6
33.4	9,967.4



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

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Personnel		
NSF	ASF	GF

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

	8.0	24.0
	8.0	24.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Special Needs Fund  
    Violent Crime Grants  
    Ivy Davis Scholarship Fund  
    Revenue Refund  
**TOTAL -- Administrative Office of the  
Courts - Non-Judicial  
Services**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

	447.1	1,316.6
	29.0	27.7
	82.7	116.8
	9.0	26.6
	6.0	1.6
		3.0
	2,500.0	50.0
	1.5	
	3,075.3	1,542.3

		7.5
	8.0	
		7.5
		1.0
		5.0
		3.0
	8.0	24.0

(-01) Office of the Public Guardian  
(-02) Violent Crimes Compensation  
    Board  
(-03) Child Placement Review Board  
(-04) Educational Surrogate Parent  
    Program  
(-05) Office of the Child Advocate  
(-06) Child Death, Near Death and Still  
    Birth Commission  
**TOTAL -- Internal Program Units**

	428.7
3,075.3	
	461.5
	73.5
	446.7
	131.9
3,075.3	1,542.3

<b>17.3</b>	<b>97.0</b>	<b>1,073.5</b>
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**TOTAL -- JUDICIAL**

<b>8,373.4</b>	<b>68,865.3</b>
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(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

(10-01-01) Office of the Governor

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

**TOTAL -- Office of the Governor**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		60.8	1,954.0
		0.5	14.5
		140.9	162.6
		0.2	22.7
			43.0
			8.7
		202.4	2,205.5

(10-02-00) Office of the Budget

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

**TOTAL -- Office of the Budget**

3.8	13.0	35.0
3.8	13.0	35.0

529.8	3,163.0
9.1	22.2
217.5	2,359.5
13.8	28.8
	4.0
	1,825.0
	38.0
	100.0
500.0	
21,007.4	
	17.0
61.6	
	2,683.8
	250.0
	150.0
	450.0
	300.0
	3,500.0
	2,400.0
160.4	126.6
	125.0
	100.0
	100.0
1,830.0	2,578.9
	650.0
	150.0
	400.0
23,000.0	
1,500.0	34,231.9
	100.0
	21.0
	8.0
	11,311.1
	17,500.0
	1,143.6
	300.0
	100.0
1,000.0	
1,000.0	
19,000.0	
	50.0
	1,373.8
69,829.6	87,661.2

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

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Personnel		
NSF	ASF	GF
	9.0	29.0
	4.0	
3.8		6.0
3.8	13.0	35.0

(-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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
1,270.2	6,404.0		
21,007.4	1,978.6		
47,490.4	78,679.9		
	50.0		
61.6	548.7		
69,829.6	87,661.2		

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(10-03-00) Delaware Economic Development Office</b>			
			<b>(10-03-01) Office of the Director</b>			
		10.0				
						853.7
						23.6
						211.6
					150.0	
						16.0
						10.0
					1,500.0	
						5.0
						5.0
						50.0
						2.8
		10.0			1,650.0	1,177.7
			<b>(10-03-02) Delaware Tourism Office</b>			
	10.0				543.4	
					20.2	
					880.5	
					8.5	
					10.0	
					75.0	
					200.0	
					0.5	
					0.8	
					0.8	
					0.8	
					250.0	
					10.0	
					45.0	
					5.0	
					45.0	
	10.0				2,095.5	
			<b>(10-03-03) Delaware Economic Development Authority</b>			
	5.0	30.0			300.8	1,873.7
					20.0	39.4
					634.0	
					10.0	14.9
					1.5	
					30.0	10.0
					125.0	
					350.0	
					300.0	
						255.0
						120.0
						50.0
						2,065.2
	5.0	30.0			1,771.3	4,428.2
	15.0	40.0			5,516.8	5,605.9

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
15.2	82.5	54.3
15.2	82.5	54.3

(10-04-00) Office of State Personnel

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     First Quality Fund  
     School to Work  
     Women's Leadership Training Programs  
     Flexible Benefits Administration  
     Agency Aide  
     Employee Recognition  
     Blue Collar  
     Health Insurance-Retirees in Closed State  
         Police Plan  
     Blood Bank Membership Dues  
     Pensions - Paraplegic Veterans  
     Retiree Conference  
     Pensions - IMS  
     Other Items

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,571.7	2,489.4
		42.1	19.4
		3,942.2	530.0
		103.5	24.2
		91.8	7.3
			150.0
			20.0
			40.0
		113.5	
			374.7
			13.6
		140.0	
			2,927.8
			88.0
			39.0
		5.0	
		500.0	
		560.0	
		10,069.8	6,723.4

TOTAL -- Office of State Personnel

15.2	23.5	50.3
	4.0	4.0
	55.0	
15.2	82.5	54.3

(-02) Operations  
 (-04) Staff Development and Training  
 (-06) Pensions

1,615.5	3,186.5
643.6	570.1
7,810.7	2,966.8
10,069.8	6,723.4

TOTAL -- Internal Program Units

(10-05-00) Delaware Health Care Commission

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Personnel Costs  
     Pilot Projects  
 Other Items:  
     Educational Programs  
     Program Evaluation  
 DIMER Operations  
 DIDER Operations

	246.8
	20.1
	79.5
	6.5
	3.5
57.1	
1,500.0	250.0
	5.0
	15.1
	2,067.5
	248.0
1,557.1	2,942.0

TOTAL -- Delaware Health Care Commission

	1.0	3.0
	1.0	3.0

(-01) Delaware Health Care  
 Commission  
 (-02) Delaware Institute of Medical  
 Education and Research  
 (-03) Delaware Institute of Dental  
 Education and Research

1,557.1	626.5
	2,067.5
	248.0
1,557.1	2,942.0

TOTAL -- Internal Program Units

**(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		11.8
14.2		11.8

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

	678.6
	1.3
	25.6
	3.8
	8.9
176.5	23.1
	117.2
176.5	858.5

TOTAL -- Criminal Justice Council

**(10-07-02) Delaware Justice Information System**

		10.0
		10.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Criminal Justice Council

	651.2
	3.8
	337.4
	14.9
	1,007.3

**TOTAL -- Criminal Justice Council**

176.5	1,865.8
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**(10-08-01) Delaware State Housing Authority**

6.0	44.0	
6.0	44.0	

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

2,505.8	
99.5	
988.0	
60.0	
99.5	
265.0	
760.0	
28,800.0	3,337.0
500.0	
1,665.0	
6,000.0	
	72.1
41,742.8	3,409.1

**TOTAL -- Delaware State Housing Authority**

<b>39.2</b>	<b>156.5</b>	<b>178.1</b>
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**TOTAL -- EXECUTIVE**

<b>129,095.0</b>	<b>110,412.9</b>
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**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(11-01-00) Office of the Chief Information Officer</b>			
		4.0				463.1
						3.9
						320.0
						1.0
						20.0
		4.0	<b>TOTAL -- Office of the Chief Information Officer</b>			808.0
		4.0	(-01) Chief Information Officer			808.0
		4.0	<b>TOTAL -- Internal Program Unit</b>			808.0
			<b>(11-02-00) Technology Office</b>			
	9.5	90.5			539.2	8,188.2
					75.0	32.4
					5,575.0	636.5
					15.0	12.0
					40.0	
					2,415.0	1,214.0
	9.5	90.5	<b>TOTAL -- Technology Office</b>		8,659.2	10,083.1
		1.0	(-01) Chief Technology Officer			157.8
	3.0	31.0	2,709.9	3,458.0		
	3.5	24.5	1,138.2	2,124.0		
	3.0	27.0	4,811.1	3,584.6		
		7.0		758.7		
	9.5	90.5	<b>TOTAL -- Internal Program Units</b>		8,659.2	10,083.1
			<b>(11-03-00) Operations Office</b>			
	6.5	80.5			399.5	4,744.1
					39.7	30.2
					11,605.6	1,575.2
						288.2
					87.0	349.5
					98.6	9.3
						397.9
					5,134.5	12,018.8
	6.5	80.5	<b>TOTAL -- Operations Office</b>		17,364.9	19,413.2
		1.0	(-01) Chief Operating Officer		10,021.0	132.5
	3.5	26.5	(-02) Business Office		861.1	2,895.8
	3.0	53.0	(-04) Data Center and Operations		6,482.8	16,384.9
	6.5	80.5	<b>TOTAL -- Internal Program Units</b>		17,364.9	19,413.2

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

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Personnel		
NSF	ASF	GF

	2.0	24.0
	2.0	24.0

		1.0
	2.0	18.0
		5.0
	2.0	24.0

	<b>18.0</b>	<b>199.0</b>
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**(11-04-00) Office of Major Projects**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Rental

**TOTAL -- Office of Major Projects**

(-01) Director of Major Projects  
(-02) Senior Project Management Team  
(-03) Change Management Team  
TOTAL -- Internal Program Units

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

		89.6	1,540.7
			7.4
			75.0
			1.8
			1.0
			35.0
		89.6	1,660.9

	252.7
89.6	1,166.6
	241.6
89.6	1,660.9

**TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION**

<b>26,113.7</b>	<b>31,965.2</b>
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**(12-00-00) OTHER ELECTIVE**

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

		6.0
		6.0

Personnel Costs			442.1
Travel			6.3
Contractual Services			22.8
Supplies and Materials			2.8
Other Items:			
Expenses - Lieutenant Governor			7.7
<b>TOTAL -- Lieutenant Governor</b>			<b>481.7</b>

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

	6.0	36.0
	6.0	36.0

Personnel Costs		368.9	2,193.8
Travel		5.0	20.4
Contractual Services		309.9	472.5
Supplies and Materials		8.4	12.9
Capital Outlay		5.4	29.9
<b>TOTAL -- Auditor of Accounts</b>		<b>697.6</b>	<b>2,729.5</b>

**(12-03-00) Insurance Commissioner**

**(12-03-01) Regulatory Activities**

	25.0	
	25.0	

Personnel Costs		1,811.3	
Travel		25.8	
Contractual Services		276.6	
Supplies and Materials		6.5	
Capital Outlay		20.1	
Other Items:			
Malpractice Review		10.5	
<b>TOTAL -- Regulatory Activities</b>		<b>2,150.8</b>	

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

2.0	52.0	
2.0	52.0	

Personnel Costs		2,660.0	
Travel		72.0	
Contractual Services		834.5	
Supplies and Materials		38.5	
Capital Outlay		316.4	
Other Items:			
Arbitration Program		39.9	
Contract Examiners		13,000.0	
<b>TOTAL -- Bureau of Examination, Rehabilitation and Guaranty</b>		<b>16,961.3</b>	

**TOTAL -- Insurance Commissioner**

2.0	77.0	
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19,112.1	
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**(12-00-00) OTHER ELECTIVE**

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Personnel		
NSF	ASF	GF

	9.0	13.0
	9.0	13.0

**(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

577.7	830.4
20.2	6.6
130.1	103.7
9.4	9.9
25.5	
2,365.0	
50.0	
70.0	
3,247.9	950.6

**(12-05-03) Debt Management**

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

	358.9
	14,717.6
	26,566.4
	40.7
	17,668.6
	85.0
	59,437.2

	9.0	13.0
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**TOTAL -- State Treasurer**

3,247.9	60,387.8
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<b>2.0</b>	<b>92.0</b>	<b>55.0</b>
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**TOTAL -- OTHER ELECTIVE**

<b>23,057.6</b>	<b>63,599.0</b>
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(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
48.4	52.9	262.6
	2.0	
48.4	54.9	262.6

(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
		799.4	18,468.7
		0.1	13.7
		659.6	1,487.2
			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	
		5,508.4	20,124.3

(15-02-01) Public Defender

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

TOTAL -- Public Defender

4.0		128.0
4.0		128.0

	9,924.0
	1.7
	627.2
	7.4
	57.3
	3.8
	10,621.4

(15-03-01) Board of Parole

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

TOTAL -- Board of Parole

		8.0
		8.0

	477.9
	12.2
	22.7
	3.3
	516.1

52.4	54.9	398.6
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TOTAL -- LEGAL

5,508.4	31,261.8
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(20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(20-01-00) Office of the Secretary</b>			
	9.0	30.0			557.5	1,445.3
					35.7	30.2
					795.0	221.4
						36.1
					105.1	97.0
					164.4	
						223.8
						72.0
	9.0	30.0	<b>TOTAL -- Office of the Secretary</b>		1,657.7	2,125.8
	9.0	5.0	(-01) Administration	1,546.7	448.4	
		6.0	(-02) Delaware Commission on Veterans Affairs		439.8	
		10.0	(-03) Delaware Veterans Memorial Cemetery	90.0	685.6	
		6.0	(-04) Veterans Cemetery Georgetown	21.0	363.8	
		3.0	(-05) Delaware Heritage Commission		188.2	
	9.0	30.0	<b>TOTAL -- Internal Program Units</b>		1,657.7	2,125.8
			<b>(20-02-00) Office of Human Relations</b>			
1.0		9.0	Personnel Costs			444.1
			Travel			5.2
			Contractual Services			20.5
			Supplies and Materials			1.5
			Other Items:			
			Human Relations Annual Conference			10.0
1.0		9.0	<b>TOTAL -- Office of Human Relations</b>		10.0	471.3
1.0		9.0	(-01) Office of Human Relations	10.0	471.3	
1.0		9.0	<b>TOTAL -- Internal Program Unit</b>		10.0	471.3
			<b>(20-03-00) Delaware Public Archives</b>			
	7.0	31.0	Personnel Costs		361.0	1,443.5
			Travel		4.0	1.8
			Contractual Services		21.6	159.2
			Supplies and Materials		15.0	82.0
			Capital Outlay		7.5	41.1
			Other Items:			
			Document Conservation Fund			20.0
			Historical Marker Maintenance			25.0
			Debt Service			977.5
	7.0	31.0	<b>TOTAL -- Delaware Public Archives</b>		409.1	2,750.1
	7.0	31.0	(-01) Delaware Public Archives	409.1	2,750.1	
	7.0	31.0	<b>TOTAL -- Internal Program Unit</b>		409.1	2,750.1

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	94.0	1.0
	94.0	1.0
	94.0	1.0
	94.0	1.0

(20-05-00) Corporations

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

TOTAL -- Corporations

(-01) Corporations  
TOTAL -- Internal Program Unit

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		5,034.3	
		20.0	
		1,875.0	
		65.1	
		344.6	
		330.0	
		3,000.0	
		10,669.0	
10,669.0			
10,669.0			

(20-06-00) Historical and Cultural Affairs

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

TOTAL -- Historical and Cultural Affairs

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

83.2	2,059.6
	5.2
	233.7
	211.5
	69.8
	14.5
	15.0
20.0	35.0
	15.0
	37.0
85.0	
1.0	
13.1	
85.5	
1.5	
3.0	
10.0	
23.5	
19.6	
	60.0
	195.3
345.4	2,951.6

6.9	1.5	40.1
6.9	1.5	40.1
6.4	1.0	5.0
0.5	0.5	29.5
6.9	1.5	40.1

189.1	607.4
	300.7
156.3	2,043.5
345.4	2,951.6

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
3.0		6.0
3.0		6.0
3.0		6.0
9.0		12.0
9.0		12.0
19.9	147.5	129.1

(20-07-00) Arts

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

TOTAL -- Arts

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			356.9
			2.4
			74.1
			3.0
			1,262.5
			10.0
			1,708.9
	1,708.9		
	1,708.9		

(20-08-00) Libraries

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

TOTAL -- Libraries

(-01) Libraries  
TOTAL -- Internal Program Unit

	588.9
	4.0
	153.7
	8.7
	21.6
	7.0
	3,369.5
	490.0
	100.0
	15.0
	774.8
	5,533.2
5,533.2	
5,533.2	

(20-15-00) State Banking Commission

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

TOTAL -- State Banking Commission

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

2,393.6	
59.0	
362.0	
25.0	
67.5	
2,907.1	
2,907.1	

TOTAL -- DEPARTMENT OF STATE

15,998.3	15,540.9
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(25-00-00) DEPARTMENT OF FINANCE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(25-01-00) Office of the Secretary</b>			
		18.0				1,461.8
						16.9
						184.0
						16.7
						1.5
					1,845.0	
						1,807.3
		18.0			1,845.0	3,488.2
<b>TOTAL -- Office of the Secretary</b>						
		18.0			1,845.0	3,488.2
(-01) Office of the Secretary						
		18.0	1,845.0	3,488.2	<b>TOTAL -- Internal Program Unit</b>	
			<b>(25-05-00) Accounting</b>			
		39.0				2,477.3
						26.6
						245.8
						42.7
						62.1
						5.0
		39.0				2,859.5
<b>TOTAL -- Accounting</b>						
		39.0				
		39.0			2,859.5	
(-01) Accounting						
		39.0			2,859.5	
<b>TOTAL -- Internal Program Unit</b>						
			<b>(25-06-00) Revenue</b>			
		198.0				10,086.0
						27.4
						1,325.2
						4.7
						99.9
						60.5
	8.0				635.2	
	6.0				1,470.5	
	14.0	198.0			2,105.7	11,603.7
<b>TOTAL -- Revenue</b>						
	14.0	198.0	2,105.7	11,603.7	<b>TOTAL -- Internal Program Unit</b>	
	14.0	198.0	2,105.7	11,603.7		
(-01) Revenue						

(25-00-00) DEPARTMENT OF FINANCE

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Personnel		
NSF	ASF	GF

	30.0	
	30.0	

	30.0	
	30.0	

	<b>44.0</b>	<b>255.0</b>
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(25-07-00) State Lottery Office

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- State Lottery Office**

(-01) State Lottery Office

**TOTAL -- Internal Program Unit**

**TOTAL -- DEPARTMENT OF FINANCE**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

	1,711.1		
	50.0		
	41,353.6		
	47.9		
	217.0		
	43,379.6		

43,379.6	
43,379.6	

<b>47,330.3</b>	<b>17,951.4</b>
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**(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(30-01-00) Administration</b>			
5.0	4.0	30.0			268.5	1,949.3
					2.6	21.4
					12.5	192.9
					6.0	31.8
					21.2	3.8
						65.0
5.0	4.0	30.0	<b>TOTAL -- Administration</b>		310.8	2,264.2
	4.0	22.0				
5.0		1.0				
		2.0				
		4.0				
		1.0				
5.0	4.0	30.0				
			<b>(30-03-00) Regulation and Licensing</b>			
	60.0				3,789.0	
					126.4	
					2,698.6	
					56.9	
					160.4	
					10.0	
					54.5	
					15.0	
	60.0		<b>TOTAL -- Regulation and Licensing</b>		6,910.8	
	23.0					
	33.0					
	4.0					
	60.0					

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

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Personnel		
NSF	ASF	GF
2.0	58.0	34.5
2.0	58.0	34.5

**(30-04-00) Support Services**

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

**TOTAL -- Support Services**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,631.4	1,539.0
		14.1	1.7
		4,429.5	249.8
		4.7	22.3
		1,825.0	28.8
		4,820.5	2.6
		613.8	
		14,339.0	1,844.2

		9.0
	17.0	
	32.0	
		6.5
		15.0
	5.0	
2.0	4.0	4.0
2.0	58.0	34.5

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

**TOTAL -- Internal Program Units**

1,949.3	424.5
2,146.1	
8,932.9	
73.2	358.0
100.0	837.7
323.4	
814.1	224.0
14,339.0	1,844.2

**(30-05-00) Facilities Management**

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

**TOTAL -- Facilities Management**

	3.0	87.0
	3.0	87.0

161.6	4,001.9
24.9	5.0
193.8	8,241.9
	5,032.5
221.1	1,749.5
121.4	20.0
	20,998.9
722.8	40,049.7

	3.0	87.0
	3.0	87.0

(-10) Facilities Management

**TOTAL -- Internal Program Unit**

722.8	40,049.7
722.8	40,049.7

**TOTAL - DEPARTMENT OF ADMINISTRATIVE SERVICES**

7.0	125.0	151.5
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22,283.4	44,158.1
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**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

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Personnel		
NSF	ASF	GF
53.7	35.0	424.5
53.7	35.0	424.5

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

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

**TOTAL -- Administration**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,252.3	18,930.2
		12.7	4.6
		785.9	4,255.6
			130.9
		98.5	913.5
		215.0	21.2
		269.2	
		232.8	
			20.0
			570.4
		879.8	
			1,526.3
		3,746.2	26,372.7

	1.0	8.0
53.7	34.0	133.4
		283.1
53.7	35.0	424.5

(-10) Office of the Secretary  
(-20) Management Services  
(-30) Facility Operations

**TOTAL -- Internal Program Units**

151.2	600.4
2,715.2	10,192.8
879.8	15,579.5
3,746.2	26,372.7

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

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

**TOTAL -- Medical Examiner**

		38.0
	1.0	
	1.0	38.0

	2,520.3
	22.1
	169.1
	73.6
	496.7
	38.6
	50.1
	3,370.5

	1.0	38.0
	1.0	38.0

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

	3,370.5
	3,370.5

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-05-00) Public Health</b>			
246.2	53.8	1,228.1			550.1	54,436.8
						19.9
					100.0	7,935.4
						1,318.9
					60.0	3,699.7
						119.1
					169.0	
					4,297.5	
					500.0	
					1,728.4	
					133.5	
					4,850.0	
					114.0	
						50.0
					15.0	
					105.0	
					550.0	
					100.0	78.0
					20.0	
						256.5
					80.0	4,798.3
						40.0
						128.2
						64.6
					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	
					560.0	
					22.0	
					559.0	
					1,200.0	
					10,000.0	
						5.8
246.2	53.8	1,228.1	<b>TOTAL -- Public Health</b>		30,915.6	72,951.2

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
3.5	9.0	48.0	(-10) Director's Office/Support Services	1,620.9	3,093.6		
240.7	44.8	305.1	(-20) Community Health	28,488.2	25,132.2		
2.0		9.0	(-30) Emergency Medical Services	133.5	1,316.3		
		564.0	(-40) Delaware Hospital for the Chronically Ill	528.6	28,269.8		
		166.0	(-50) Emily Bissell	144.4	8,492.2		
		136.0	(-60) Governor Bacon		6,647.1		
246.2	53.8	1,228.1	TOTAL -- Internal Program Units	30,915.6	72,951.2		

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-06-00) Substance Abuse and Mental Health</b>			
4.8	8.0	785.4			367.6	38,448.5
						20.8
					1,438.3	27,150.1
						836.8
					100.6	4,889.2
					9.0	184.0
					200.0	
					500.0	
					1,000.0	
						1,564.6
						9.9
						28.2
					300.0	
						426.1
4.8	8.0	785.4	<b>TOTAL -- Substance Abuse and Mental Health</b>		3,915.5	73,558.2
2.0		44.0	(-10) Administration	60.0	3,011.0	
1.0		120.0	(-20) Community Mental Health	2,100.0	24,488.0	
0.8	1.0	587.4	(-30) Delaware Psychiatric Center	169.0	35,673.2	
1.0	7.0	34.0	(-40) Substance Abuse	1,586.5	10,386.0	
4.8	8.0	785.4	<b>TOTAL -- Internal Program Units</b>	3,915.5	73,558.2	

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

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Personnel		
NSF	ASF	GF
312.3		278.7
312.3		278.7

**(35-07-00) Social Services**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs				13,529.2
Travel				9.1
Contractual Services				5,998.4
Energy				53.0
Supplies and Materials				103.9
Capital Outlay				82.9
Tobacco Fund:				
Prescription Drug Program			6,900.0	
Former SSI Beneficiaries			1,171.2	
Medicaid Non-State			938.7	
SSI Supplement			1,277.6	
Cancer Council Recommendations:				
Breast and Cervical Cancer Treatment			150.0	
Other Items:				
Cost Recovery			150.2	
Early Intervention			249.0	2,168.8
General Assistance				3,280.4
TANF Cash Assistance				2,282.4
TANF Child Support Pass Through			1,200.0	0.0
Child Care				24,854.6
Emergency Assistance				798.9
Employment and Training				2,499.8
Medicaid - Non-State			16,400.0	336,405.7
Delaware Healthy Children Program				2,493.1
Delaware Healthy Children Program Premiums			500.0	
Delaware Healthy Children Program - DSCYF			585.2	
Legal Non-Citizen Health Care				1,370.0
Renal				1,450.0
<b>TOTAL -- Social Services</b>			<b>29,521.9</b>	<b>397,380.2</b>

312.3		278.7
312.3		278.7

(-01) Social Services	29,521.9	397,380.2
<b>TOTAL -- Internal Program Unit</b>	<b>29,521.9</b>	<b>397,380.2</b>

<b>NSF</b>
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TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation 32,291.0

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

26.6	3.0	40.4	Personnel Costs	105.7	2,138.5
			Travel		3.1
			Contractual Services	1.5	427.2
			Energy		51.2
			Supplies and Materials		78.2
			Capital Outlay	4.0	39.1
			Other Items:		
			BEP Unassigned Vending	175.0	
			BEP Independence	450.0	
			BEP Vending	425.0	
26.6	3.0	40.4	<b>TOTAL -- Visually Impaired</b>	<b>1,161.2</b>	<b>2,737.3</b>

26.6	3.0	40.4
26.6	3.0	40.4

(-01) Visually Impaired Services	1,161.2	2,737.3
<b>TOTAL -- Internal Program Unit</b>	<b>1,161.2</b>	<b>2,737.3</b>

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-09-00) Long Term Care Residents Protection</b>			
19.9		42.1				2,232.9
						12.3
						559.4
						7.8
						15.8
						20.3
19.9		42.1	<b>TOTAL -- Long Term Care Residents Protection</b>			2,848.5
19.9		42.1	(-01) Long Term Care Residents Protection			2,848.5
19.9		42.1	TOTAL -- Internal Program Unit			2,848.5
			<b>(35-10-00) Child Support Enforcement</b>			
140.8	27.2	46.0			1,255.8	2,019.1
					5.7	3.9
					454.5	376.0
					20.0	9.3
					23.0	9.8
					27.9	2.1
					25.0	
140.8	27.2	46.0	<b>TOTAL -- Child Support Enforcement</b>		1,811.9	2,420.2
140.8	27.2	46.0	(-01) Child Support Enforcement		1,811.9	2,420.2
140.8	27.2	46.0	TOTAL -- Internal Program Unit		1,811.9	2,420.2
			<b>(35-11-00) Developmental Disabilities Services</b>			
3.0	1.0	676.6			30.9	30,133.1
						22.6
					1,300.0	3,727.9
						516.1
						1,255.8
						146.6
						30.0
						9.6
					150.0	
					1,108.0	19,496.7
						5,931.8
						526.2
						15.0
3.0	1.0	676.6	<b>TOTAL -- Developmental Disabilities Services</b>		2,588.9	61,811.4
3.0	1.0	64.0	(-10) Administration		30.9	3,451.6
		453.0	(-20) Stockley Center		150.0	23,851.3
		159.6	(-30) Community Services		2,408.0	34,508.5
3.0	1.0	676.6	TOTAL -- Internal Program Units		2,588.9	61,811.4



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

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Personnel		
NSF	ASF	GF
25.0		108.6
25.0		108.6

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

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			4,795.9
		7.8	6.1
		319.7	1,623.2
		154.2	543.3
		64.1	58.3
		39.8	17.3
			385.8
			29.4
			128.5
			1,630.6
			50.0
			50.0
			262.7
		585.6	9,581.1

**TOTAL -- State Service Centers**

10.3		74.3
		14.0
8.0		2.0
6.7		18.3
25.0		108.6

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

	3,789.1
585.6	2,012.9
	2,025.9
	1,753.2
585.6	9,581.1

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Tobacco Fund:  
Assisted Living  
Other Items:  
Community Services  
Nutrition Program  
Long Term Care  
**TOTAL -- Services for Aging and Adults with Physical Disabilities**

51.9		62.3
51.9		62.3

	3,129.5
	5.0
	4,966.4
	12.4
	47.0
	5.8
351.2	
261.0	3.0
	589.9
	249.1
612.2	9,008.1

51.9		62.3
51.9		62.3

(-01) Services for Aging and Adults with Physical Disabilities  
**TOTAL -- Internal Program Unit**

612.2	9,008.1
612.2	9,008.1

**TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

<b>884.2</b>	<b>129.0</b>	<b>3,730.7</b>
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<b>74,859.0</b>	<b>662,039.4</b>
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(37-01-00) Management Support Services</b>			
20.1	42.0	128.2	Personnel Costs		2,280.2	7,830.8
			Travel		21.2	8.1
			Contractual Services		1,570.1	2,235.4
			Supplies and Materials		73.4	176.5
			Capital Outlay		27.0	26.3
			Other Items:			
			MIS Development			362.3
			Agency Operations		187.0	
			Services Integration		102.1	
			Maintenance and Restoration		100.0	
			Population Contingency			100.0
			Debt Service			111.6
20.1	42.0	128.2	<b>TOTAL -- Management Support Services</b>		4,361.0	10,851.0
			<b>(37-02-00) Internal Program Units</b>			
4.0	8.0	23.0	(-10) Office of the Secretary		541.4	2,357.9
	1.0	2.0	(-15) Office of the Director		741.9	466.5
10.3	8.5	20.7	(-20) Fiscal Services		441.5	1,074.6
2.0	3.0	21.0	(-25) Planning and Evaluation		357.3	1,949.6
	2.0	13.0	(-30) Human Resources		133.3	817.8
	6.0	41.5	(-40) Education Services		455.6	3,275.0
3.8	13.5	7.0	(-50) Management Information Systems		1,690.0	909.6
20.1	42.0	128.2	<b>TOTAL -- Internal Program Units</b>		4,361.0	10,851.0
			<b>(37-04-00) Child Mental Health Services</b>			
7.0	22.0	181.6	Personnel Costs		1,268.3	10,579.6
			Travel		8.4	11.9
			Contractual Services		10,155.3	10,425.2
			Energy			189.2
			Supplies and Materials		22.7	260.6
			Capital Outlay		2.0	9.7
			Other Items:			
			MIS Maintenance		16.0	
7.0	22.0	181.6	<b>TOTAL -- Child Mental Health Services</b>		11,472.7	21,476.2
			<b>(37-05-00) Internal Program Units</b>			
7.0	22.0	79.1	(-10) Managed Care Organization		1,550.6	4,907.1
		35.5	(-30) Periodic Treatment		3,709.3	8,670.9
		67.0	(-40) 24 Hour Treatment		6,212.8	7,898.2
7.0	22.0	181.6	<b>TOTAL -- Internal Program Units</b>		11,472.7	21,476.2

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

**(37-05-00) Youth Rehabilitative Services**

13.5	22.5	354.1	Personnel Costs			1,174.3	18,258.0
			Travel			10.5	19.1
			Contractual Services			2,398.5	13,301.1
			Energy				485.0
			Supplies and Materials			84.0	735.7
			Capital Outlay				17.5
			Debt Service				2,498.6
13.5	22.5	354.1	<b>TOTAL -- Youth Rehabilitative Services</b>			3,667.3	35,315.0

6.0		10.1	(-10) Office of the Director	1.1	705.9		
7.5	7.5	89.5	(-30) Community Services	2,304.4	16,511.2		
	15.0	254.5	(-50) Secure Care	1,361.8	18,097.9		
13.5	22.5	354.1	<b>TOTAL -- Internal Program Units</b>	3,667.3	35,315.0		

**(37-06-00) Family Services**

110.9	29.5	303.0	Personnel Costs			1,606.1	15,669.9
			Travel			26.1	2.2
			Contractual Services			2,598.9	1,239.7
			Energy				9.7
			Supplies and Materials			26.5	72.2
			Capital Outlay			6.0	14.3
			Child Welfare/Contractual Services				11,967.3
			Pass Throughs				888.0
			Tobacco Funds:				
			Tobacco Prevention Programs For Youth			110.0	
			Other Items:				
			Emergency Material Assistance				31.0
			DFS Decentralization			313.3	
110.9	29.5	303.0	<b>TOTAL -- Family Services</b>			4,686.9	29,894.3

24.9	1.5	56.6	(-10) Office of the Director	987.9	4,441.3		
76.0	4.0	17.0	(-20) Prevention/Early Intervention	471.8	1,417.5		
1.0	12.0	96.4	(-30) Intake/Investigation	668.7	5,492.8		
9.0	12.0	133.0	(-40) Intervention/Treatment	2,558.5	18,542.7		
110.9	29.5	303.0	<b>TOTAL -- Internal Program Units</b>	4,686.9	29,894.3		

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

<b>151.5</b>	<b>116.0</b>	<b>966.9</b>				<b>24,187.9</b>	<b>97,536.5</b>
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**(38-00-00) DEPARTMENT OF CORRECTION**

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(38-01-00) Administration</b>			
		271.0				13,573.5
						14.6
					25.0	1,351.6
						62.1
						6,593.6
						26.2
						24,678.1
						80.0
						4,284.3
						15.4
						1,501.1
						96.0
		271.0			25.0	52,276.5
			<b>TOTAL -- Administration</b>			
		15.0	25.0	1,079.4		
		50.0		2,655.8		
		45.0		4,750.3		
		82.0		10,923.4		
				24,758.1		
				4,284.3		
		79.0		3,825.2		
		271.0	25.0	52,276.5		
			<b>TOTAL -- Internal Program Units</b>			
			<b>(38-04-00) Prisons</b>			
	12.0	1,733.6			753.0	81,313.8
					9.0	12.3
					848.4	2,973.4
					10.2	5,075.6
					1,322.2	3,069.7
					177.0	
						1,015.5
					200.0	
						19.0
						42.3
						53.0
						23.0
						11,906.0
	12.0	1,733.6			3,319.8	105,503.6
			<b>TOTAL -- Prisons</b>			
		9.0		1,868.2		
		25.0	1.0	1,463.7		
		738.0	1.0	46,864.5		
		401.0		22,046.2		
		97.0	2.7	6,324.5		
		377.0		20,012.0		
		53.0		4,496.3		
	7.0	14.0	1,650.5	815.5		
	5.0	5.0	1,663.6	265.4		
		14.6	1.0	1,347.3		
	12.0	1,733.6	3,319.8	105,503.6		
			<b>TOTAL -- Internal Program Units</b>			

**(38-00-00) DEPARTMENT OF CORRECTION**

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**Personnel**

NSF	ASF	GF
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		609.0
		609.0

		16.0
		311.0
		39.0
		44.0
		32.0
		42.0
		42.0
		48.0
		35.0
		609.0

	<b>12.0</b>	<b>2,613.6</b>
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**(38-06-00) Community Corrections**

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

**TOTAL -- Community Corrections**

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

**TOTAL -- DEPARTMENT OF CORRECTION**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

			31,053.2
			25.6
		380.0	3,616.9
			453.6
		25.0	549.4
			26.4
			1,086.6
		405.0	36,811.7

	1,869.2
350.0	18,533.8
	2,443.7
1.0	2,802.4
50.0	1,998.6
4.0	2,306.3
	2,784.2
	2,436.4
	1,637.1
405.0	36,811.7

<b>3,749.8</b>	<b>194,591.8</b>
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**(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

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Personnel		
NSF	ASF	GF
5.6	31.8	40.6
5.6	31.8	40.6

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Non-Game Habitat  
    Coastal Zone Management  
    Ecological Restoration Program  
    Special Projects/Other Items  
    Outdoor Delaware  
    Wholebasin Management-TMDL  
    Wholebasin Management-Admin.  
    Green Energy Fund  
Debt Service

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,462.9	2,801.7
		16.9	13.2
		296.8	63.1
		35.0	261.4
		72.8	43.2
		7.2	
		20.0	
		15.0	
			95.0
		55.0	
		105.0	
		314.7	1,216.1
			1.5
		850.0	
			19.6
		3,251.3	4,514.8

**TOTAL -- Office of the Secretary**

	18.3	23.7
1.0	2.0	4.0
3.6	1.0	1.4
1.0	10.5	11.5
5.6	31.8	40.6

(-01) Office of the Secretary  
(-02) Planning and Compliance Assistance  
(-04) Energy Office  
(-05) Office of Information Technology  
**TOTAL -- Internal Program Units**

1,726.9	3,419.2
99.9	337.0
922.3	68.7
502.2	689.9
3,251.3	4,514.8

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

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

31.2	34.4	61.4
31.2	34.4	61.4

1,374.5	3,785.1
22.5	12.3
745.7	1,359.4
1.5	93.3
385.3	202.0
1,571.5	
	789.9
10.0	
40.0	
65.0	
50.0	
19.0	197.0
32.4	
180.0	
50.0	
130.0	
600.0	
277.5	
15.0	
	1.0
5,569.9	6,440.0

**TOTAL -- Fish and Wildlife**

	1.0	1.5
26.6	29.4	16.0
0.5	0.5	17.0
4.1	3.5	26.9
31.2	34.4	61.4

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

125.9	175.1
4,132.0	1,526.1
357.1	2,004.0
219.5	906.9
735.4	1,827.9
5,569.9	6,440.0

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1.0	64.0	105.0
1.0	64.0	105.0

**(40-06-00) Parks and Recreation**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Killen's Pond Water Park  
    Marina  
    Other Items  
Federal Fiscal Relief  
    State Park Water Quality Initiative  
Debt Service

4,806.6	5,517.4
30.8	5.2
1,639.3	893.8
37.9	393.4
853.1	283.4
246.1	
440.0	
555.0	
706.5	
3,000.0	
	1,230.2
12,315.3	8,323.4

**TOTAL -- Parks and Recreation**

	3.0	10.0
	42.0	46.0
	9.0	9.0
1.0	9.0	14.0
	1.0	26.0
1.0	64.0	105.0

(-01) Management and Support -  
    Parks and Recreation  
(-02) Operations and Maintenance  
(-03) Cultural and Recreational Services  
(-04) Planning, Preservation and  
    Development  
(-05) Wilmington State Parks  
**TOTAL -- Internal Program Units**

200.5	506.9
9,945.2	4,070.2
1,205.1	510.4
819.4	961.0
145.1	2,274.9
12,315.3	8,323.4

**(40-07-00) Soil and Water Conservation**

15.8	2.5	45.7
15.8	2.5	45.7

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    New Castle County Dredge  
    Beach Erosion Control Program  
    Sand Bypass System  
    Tax Ditches\*  
Debt Service

112.7	2,654.6
5.0	5.9
1,221.9	839.9
	14.7
44.0	201.6
39.0	
6,600.0	225.0
	95.0
	225.0
	645.8
8,022.6	4,907.5

**TOTAL -- Soil and Water Conservation**

1.5		4.5
		9.0
1.8		25.2
2.5	2.5	6.0
10.0		1.0
15.8	2.5	45.7

(-01) Management and Support -  
    Soil and Water  
(-02) Drainage  
(-03) Shoreline and Waterway  
    Management  
(-04) District Operations  
(-05) Delaware Coastal Management  
**TOTAL -- Internal Program Units**

160.0	326.3
10.0	1,425.6
7,669.6	1,753.1
173.0	1,336.1
10.0	66.4
8,022.6	4,907.5

\*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

28.1	63.9	68.0
28.1	63.9	68.0

10.1	11.7	8.2
0.5	24.5	16.0
2.0	8.0	6.0
5.0	12.0	8.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
28.1	63.9	68.0

**(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**

(-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**

\$ Program	
ASF	GF

780.0	2,699.9
1,506.3	1,124.5
481.0	526.9
713.2	473.1
257.2	454.5
	2,045.3
290.5	357.5
4,028.2	7,681.7

\$ Line Item	
ASF	GF

2,434.1	4,278.3
38.0	40.2
716.0	1,413.0
1.0	9.0
219.0	91.9
241.0	40.0
	111.6
	38.0
65.1	
	280.5
300.0	
14.0	
	1,379.2
4,028.2	7,681.7



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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

65.4	92.3	58.3
65.4	92.3	58.3

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

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

2,835.5	3,918.1
78.0	16.7
1,320.0	291.5
10.0	91.7
335.9	91.7
242.0	4.9
300.0	
1,200.0	
7,960.5	
100.0	
30.0	14.4
350.0	
100.0	
54.8	
180.9	
525.8	
164.8	
141.2	
50.0	
	50.0
834.8	
	3.9
16,814.2	4,482.9

**TOTAL - Air and Waste Management**

3.0	13.5	11.5
16.3	45.9	12.8
45.1	30.9	24.0
1.0	2.0	10.0
65.4	92.3	58.3

(-01) Management and Support -  
     Air and Waste  
 (-02) Air Quality Management  
 (-03) Waste Management  
 (-04) Emergency Prevention and Response  
 TOTAL -- Internal Program Units

1,359.3	1,017.2
3,373.5	1,111.0
10,844.7	1,705.2
1,236.7	649.5
16,814.2	4,482.9

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

147.1	288.9	379.0
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50,001.5	36,350.3
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**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
			<b>(45-01-00) Office of the Secretary</b>					
31.3	3.0	50.7	Personnel Costs				203.5	2,926.4
			Travel					8.0
			Contractual Services				116.4	558.0
			Supplies and Materials					45.9
			Capital Outlay					0.1
			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					496.8
31.3	3.0	50.7	<b>TOTAL -- Office of the Secretary</b>				750.1	4,227.3
		19.0	(-01) Administration	100.0	1,505.8			
	3.0	21.0	(-20) Communication	650.1	1,623.4			
26.8		8.2	(-30) Delaware Emergency Management Agency		948.1			
4.5		2.5	(-40) Highway Safety		150.0			
31.3	3.0	50.7	<b>TOTAL -- Internal Program Units</b>	750.1	4,227.3			
			<b>(45-02-00) Capitol Police</b>					
		65.0	Personnel Costs					2,606.7
			Travel					4.5
			Contractual Services					270.8
			Supplies and Materials					41.0
			Capital Outlay					30.9
		65.0	<b>TOTAL -- Capitol Police</b>					2,953.9
		65.0	(-10) Capitol Police		2,953.9			
		65.0	<b>TOTAL -- Internal Program Unit</b>		2,953.9			
			<b>(45-03-00) Office of the Alcoholic Beverage Control Commissioner</b>					
		7.0	Personnel Costs					428.4
			Travel				2.0	5.0
			Contractual Services				46.4	16.6
			Supplies and Materials					4.0
		7.0	<b>TOTAL -- Office of the Alcoholic Beverage Control Commissioner</b>				48.4	454.0
		7.0	(-10) Office of the Alcoholic Beverage Control Commissioner	48.4	454.0			
		7.0	<b>TOTAL -- Internal Program Unit</b>	48.4	454.0			

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement</b>			
	2.0	13.0			51.3	699.6
					2.8	3.4
					43.3	94.6
					2.3	12.1
					2.0	3.0
	4.0				235.0	
					20.0	
					125.0	
					89.0	
					30.0	
					10.0	
	6.0	13.0	<b>TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement</b>		610.7	812.7
	6.0	13.0	(-10) Division of Alcoholic Beverage Control and Tobacco Enforcement		610.7	812.7
	6.0	13.0	<b>TOTAL -- Internal Program Unit</b>		610.7	812.7
			<b>(45-06-00) State Police</b>			
31.2	42.7	766.1			2,593.6	57,592.3
					146.8	43.3
					699.3	2,763.1
					658.3	2,135.5
					67.0	1,506.8
					87.5	
						50.0
						17,020.0
						110.0
						15.0
						90.0
					2,205.7	
						1,396.2
31.2	42.7	766.1	<b>TOTAL -- State Police</b>		6,458.2	82,722.2
		60.0	(-01) Executive		554.6	22,136.7
		8.0	(-02) Building Maintenance & Construction			1,506.0
	15.2	321.8	(-03) Patrol		2,688.1	27,027.3
26.0		145.0	(-04) Criminal Investigation		619.0	12,131.5
	7.0	36.0	(-05) Special Investigation		903.0	3,691.7
		24.0	(-06) Aviation			2,829.2
4.2	4.0	12.8	(-07) Traffic		294.6	918.1
	13.0	32.0	(-08) State Bureau of Identification		982.4	1,747.3
		12.0	(-09) Training		14.0	1,455.9
	3.5	88.5	(-10) Communications		172.0	5,388.2
		14.0	(-11) Transportation		174.7	3,148.3
1.0		12.0	(-12) Community Relations		55.8	742.0
31.2	42.7	766.1	<b>TOTAL - Internal Program Units</b>		6,458.2	82,722.2
<b>62.5</b>	<b>51.7</b>	<b>901.8</b>	<b>TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY</b>		<b>7,867.4</b>	<b>91,170.1</b>

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

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	11.0		Personnel Costs	865.8
			Operations/Capital	29.7
			Salary Contingency	161.0
	11.0		<b>TOTAL -- Office of the Secretary</b>	<b>1,056.5</b>
			<b>(55-01-02) Finance</b>	
1.0	37.0		Personnel Costs	2,320.3
			Operations/Capital	980.6
1.0	37.0		<b>TOTAL -- Finance</b>	<b>3,300.9</b>
			<b>(55-01-03) Public Relations</b>	
	15.0		Personnel Costs	807.8
			Operations/Capital	112.2
	15.0		<b>TOTAL -- Public Relations</b>	<b>920.0</b>
			<b>(55-01-04) Human Resources</b>	
	26.0		Personnel Costs	1,396.7
			Travel	2.3
			Capital Outlay	1.0
			Contractual/Supplies	705.5
	26.0		<b>TOTAL -- Human Resources</b>	<b>2,105.5</b>
1.0	89.0		<b>TOTAL -- Office of the Secretary</b>	<b>7,382.9</b>
			<b>(55-02-00) Technology and Support Services</b>	
			<b>(55-02-01) Administration</b>	
1.0	37.0		Personnel Costs	1,974.9
			Travel	25.7
			Energy	513.9
			Capital Outlay	18.0
			Contractual/Supplies	1,255.7
1.0	37.0		<b>TOTAL -- Administration</b>	<b>3,788.2</b>
			<b>(55-02-03) Office of Information Technology</b>	
	56.0		Personnel Costs	3,858.1
			Travel	25.3
			Capital Outlay	842.9
			Contractual/Supplies	7,111.1
	56.0		<b>TOTAL -- Office of Information Technology</b>	<b>11,837.4</b>
1.0	93.0		<b>TOTAL -- Technology and Support Services</b>	<b>15,625.6</b>
			<b>(55-03-00) Planning</b>	
			<b>(55-03-01) Planning</b>	
	72.0	19.0	Personnel Costs	4,694.4
			Operations/Capital	830.3
	72.0	19.0	<b>TOTAL -- Planning</b>	<b>5,524.7</b>

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

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Personnel		
NSF	TFO	TFC
	25.0	
	25.0	
	727.0	25.0
	727.0	25.0
	139.0	
	139.0	
	891.0	25.0

**(55-04-00) Maintenance and Operations**

**(55-04-01) Office of the Director**

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

**(55-04-70) Maintenance Districts**

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

**(55-04-90) Toll Administration**

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

**TOTAL -- Maintenance and Operations**

\$ Line Item
TFO
1,481.8
94.6
1,576.4
33,019.8
961.6
234.5
15,170.6
3,041.0
52,427.5
6,244.1
26.0
495.2
91.0
2,208.7
5,250.0
14,315.0
68,318.9

\* The Cumulative Turnpike Operating Reserve Fund is established at \$1,334.6

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

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Personnel		
NSF	TFO	TFC
	3.0	
	3.0	

<b>(55-06-01) Delaware Transportation Authority</b>
Delaware Transit Corporation
Transit Administration
Transit Operations Planning and Customer
Transit Operations
Taxi Services Support "E & H"
Newark Transportation
Kent and Sussex Transportation "E & H"
 Total -- Delaware Transit Corporation
 DTA Indebtedness
Debt Service
General Obligation
Transportation Trust Fund
 Total -- DTA Indebtedness
 <b>TOTAL -- Delaware Transportation Authority*</b>

\$ Line Item
TFO
8,082.1
2,028.5
44,530.0
148.5
127.4
1,384.3
 56,300.8
 524.0
92,970.0
 93,494.0
 149,794.8

\* 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**

	51.0	88.0
	51.0	88.0

Personnel Costs
TOTAL -- Project Teams

3,668.5
3,668.5

**(55-08-20) Design/Quality**

	17.0	31.0
	17.0	31.0

Personnel Costs
TOTAL -- Design/Quality

1,400.1
1,400.1

**(55-08-30) Engineering Support**

	53.0	64.0
	53.0	64.0

Personnel Costs
Travel
Capital Outlay
Contractual/Supplies
TOTAL -- Engineering Support

3,612.1
51.5
60.1
245.0
3,968.7

**(55-08-40) Traffic**

	83.0	
	83.0	

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

4,789.0
1,054.3
22.7
1,005.1
6,871.1

**TOTAL -- Transportation Solutions**

	204.0	183.0
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15,908.4
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**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

**(55-11-00) Motor Vehicles**

**(55-11-10) Administration**

	21.0	
	21.0	

Personnel Costs	1,152.0
Travel	10.1
Contractual Services	219.2
Supplies and Materials	10.4
Capital Outlay	0.1
Motorcycle Safety	200.0
Off Highway Vehicles	1.0
<b>TOTAL -- Administration</b>	<b>1,592.8</b>

**(55-11-20) Driver Services**

3.0	70.0	
3.0	70.0	

Personnel Costs	3,144.3
Contractual Services	82.0
Supplies and Materials	26.3
CDL Fees	207.3
<b>TOTAL -- Driver Services</b>	<b>3,459.9</b>

**(55-11-30) Vehicle Services**

	128.0	
	128.0	

Personnel Costs	5,629.7
Travel	10.0
Contractual Services	1,117.2
Supplies and Materials	889.9
Capital Outlay	464.0
Odometer Forms	6.0
Special License Plates	25.0
DMVT	150.0
<b>TOTAL -- Vehicle Services</b>	<b>8,291.8</b>

**(55-11-50) Motor Fuel Tax Administration**

1.0	21.0	
1.0	21.0	

Personnel Costs	1,154.2
Travel	25.0
Contractual Services	290.2
Supplies and Materials	29.1
<b>TOTAL -- Motor Fuel Tax Administration</b>	<b>1,498.5</b>

**TOTAL -- Motor Vehicles**

4.0	240.0	
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14,843.0
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**TOTAL - DEPARTMENT OF TRANSPORTATION**

<b>6.0</b>	<b>1,592.0</b>	<b>227.0</b>
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<b>277,398.3</b>
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**(60-00-00) DEPARTMENT OF LABOR**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(60-01-00) Administration</b>			
13.5	29.7	8.8			1,797.1	713.2
					16.0	2.4
					862.0	226.7
					77.4	9.8
					50.5	
					10.0	
13.5	29.7	8.8	<b>TOTAL -- Administration</b>		2,813.0	952.1
			<b>(60-06-00) Unemployment Insurance</b>			
	10.7	1.3	1,140.5	417.1		
13.5		2.5		138.7		
		4.0	10.0	299.4		
	19.0	1.0	1,662.5	96.9		
13.5	29.7	8.8	<b>TOTAL -- Internal Program Units</b>		2,813.0	952.1
			<b>(60-07-00) Industrial Affairs</b>			
135.0	4.0				159.1	
					0.1	
					171.8	
					1.0	
					2.0	
					7.2	
					95.8	
135.0	4.0		<b>TOTAL -- Unemployment Insurance</b>		437.0	
			<b>(60-07-00) Industrial Affairs</b>			
135.0	4.0		437.0			
135.0	4.0		<b>TOTAL -- Internal Program Unit</b>		437.0	
			<b>(60-07-00) Industrial Affairs</b>			
8.0	55.0				3,055.6	
					30.8	
					815.0	
					41.0	
					36.6	
					5,600.0	
8.0	55.0		<b>TOTAL -- Industrial Affairs</b>		9,579.0	
			<b>(60-07-00) Industrial Affairs</b>			
6.0	35.0		8,406.3			
2.0	20.0		1,172.7			
8.0	55.0		<b>TOTAL -- Internal Program Units</b>		9,579.0	



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

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Personnel		
NSF	ASF	GF

122.0	6.0	2.0
122.0	6.0	2.0

83.0	6.0	2.0
39.0		
122.0	6.0	2.0

**(60-08-00) Vocational Rehabilitation**

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

**TOTAL -- Vocational Rehabilitation**

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

		340.5	80.7
			0.3
		436.4	2,080.0
		75.0	76.9
			306.7
			13.0
			275.0
		851.9	2,832.6

851.9	2,832.6
851.9	2,832.6

**(60-09-00) Employment and Training**

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

**TOTAL -- Employment and Training**

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

89.9	4.0	24.1
89.9	4.0	24.1

89.9	4.0	24.1
89.9	4.0	24.1

188.4	955.5
4.2	6.1
88.1	355.0
	1.9
6.2	12.6
13.4	3.8
	345.2
	181.6
	959.0
2,258.3	
2,558.6	2,820.7

2,558.6	2,820.7
2,558.6	2,820.7

<b>368.4</b>	<b>98.7</b>	<b>34.9</b>
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**TOTAL -- DEPARTMENT OF LABOR**

<b>16,239.5</b>	<b>6,605.4</b>
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**(65-00-00) DEPARTMENT OF AGRICULTURE**

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Personnel		
NSF	ASF	GF
16.2	35.5	85.3
16.2	35.5	85.3

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,509.1	4,736.7
Travel			67.9	32.7
Contractual Services			513.7	450.2
Energy			7.8	93.0
Supplies and Materials			144.9	143.7
Capital Outlay			289.0	26.0
Other Items:				
Information, Education & Certification				221.0
Nutrient Management Planning				451.8
Poultry Litter Transport				246.0
Agriculture Advertising				50.0
Agriculture Development Program				17.7
Laurel Auction				9.5
Alternative Agriculture Projects				15.0
Cooperative Advertising				40.0
Plant Pest Survey & Control				107.2
Educational Assistance			15.0	
Revenue Refund			4.0	
Fingerprinting			110.5	
Equine Drug Testing			820.0	
County Rollback			40.2	
Debt Service				86.3
<b>TOTAL -- Agriculture</b>			<b>4,522.1</b>	<b>6,726.8</b>

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

(-01) Administration	252.2	1,694.0
(-02) Agriculture Compliance	12.2	372.8
(-03) Food Products Inspection	812.9	374.1
(-04) Forest Service	586.0	956.1
(-05) Harness Racing Commission	1,177.8	
(-06) Pesticides	413.8	
(-07) Planning		348.0
(-08) Plant Industries	116.3	916.3
(-09) Poultry and Animal Health		442.8
(-10) Thoroughbred Racing Commission	1,075.4	
(-11) Weights and Measures		457.2
(-12) Nutrient Management		1,165.5
(-13) Agricultural Lands Preservation Foundation	75.5	
<b>TOTAL -- Internal Program Units</b>	<b>4,522.1</b>	<b>6,726.8</b>

**TOTAL -- DEPARTMENT OF AGRICULTURE**

<b>16.2</b>	<b>35.5</b>	<b>85.3</b>
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<b>4,522.1</b>	<b>6,726.8</b>
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**(70-00-00) DEPARTMENT OF ELECTIONS**

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

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

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Personnel		
NSF	ASF	GF
	29.2	23.8
	29.2	23.8

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
<b>(75-01-01) Office of the State Fire Marshal</b>				
Personnel Costs			1,460.8	1,443.9
Travel			34.0	
Contractual Services			365.3	107.1
Energy				46.2
Supplies and Materials			71.0	37.5
Capital Outlay			281.1	10.8
Other Items:				
Revenue Refund			1.5	
Juvenile Firesetter Intervention Program				2.0
Debt Service				200.3
<b>TOTAL -- Office of the State Fire Marshal</b>			<b>2,213.7</b>	<b>1,847.8</b>

		17.0
		17.0

<b>(75-02-01) State Fire School</b>				
Personnel Costs				983.3
Contractual Services				384.0
Energy				155.8
Capital Outlay				75.0
Other Items:				
Local Emergency Planning Committee			50.0	
Stress Management				5.0
Background Checks				10.0
EMT Training				70.0
Debt Service				246.7
<b>TOTAL -- State Fire School</b>			<b>50.0</b>	<b>1,929.8</b>

		1.0
		1.0

<b>(75-03-01) State Fire Prevention Commission</b>				
Personnel Costs				51.3
Travel				25.5
Contractual Services				25.0
Supplies and Materials				2.6
Other Items:				
State-wide Fire Safety Education				100.0
Contingency - Extraordinary Expenses				9.0
Governor's Fire Safety Conference			7.0	7.2
Mid-Atlantic Fire Conference			4.0	
<b>TOTAL -- State Fire Prevention Commission</b>			<b>11.0</b>	<b>220.6</b>

	29.2	41.8
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<b>TOTAL -- FIRE PREVENTION COMMISSION</b>			<b>2,274.7</b>	<b>3,998.2</b>
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**(76-00-00) DELAWARE NATIONAL GUARD**

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<b>Personnel</b>		
<b>NSF</b>	<b>ASF</b>	<b>GF</b>
77.3		30.0
<b>77.3</b>		<b>30.0</b>

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

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

<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			2,156.5
			6.7
			250.4
			475.0
			91.5
			3.0
			490.0
			12.2
			165.2
			<b>3,650.5</b>

**TOTAL -- DELAWARE NATIONAL GUARD**

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

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Personnel		
NSF	ASF	GF

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

		2.0
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Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	99.4
	6.0
	11.2
	3.1

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

		<b>2.0</b>
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	<b>119.7</b>
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**(90-00-00) HIGHER EDUCATION**

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
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**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

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

11.0			42.0	Personnel Costs			6,766.1
				Contractual Services			83.1
				Energy			25.0
				Occupational Teacher Program			36.8
				Academic Incentive			50.0
				Salary Plan A & D			40.0
				Associate in Arts Program - Operations			276.6
				Associate in Arts Program - Academic			1,517.1
				Debt Service			426.4
11.0			42.0	TOTAL -- Office of the President			9,221.1

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

59.0			191.0	Personnel Costs			13,290.4
				Energy			326.0
				Grants			48.2
				Aid to Needy Students			184.8
				Work Study			31.2
				Debt Service			1,463.2
				Day Care Training			16.8
				Para-educator Technology Program			55.1
59.0			191.0	TOTAL -- Owens Campus			15,415.7

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

41.0			155.0	Personnel Costs			10,451.0
				Energy			361.6
				Aid to Needy Students			149.8
				Grants			27.5
				Work Study			35.1
				Debt Service			1,426.6
				Dental Program			78.8
				Day Care Training			17.2
41.0			155.0	TOTAL -- Wilmington Campus			12,547.6



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

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5				<b>(90-04-05) Stanton Campus</b>				
6	56.0		185.0	Personnel Costs				12,998.1
7				Energy				162.2
8				Aid to Needy Students				134.8
9				Grants				22.5
10				Work Study				36.1
11				Debt Service				69.3
12	56.0		185.0	TOTAL -- Stanton Campus				13,423.0
13								
14								
15				<b>(90-04-06) Terry Campus</b>				
16	67.2		124.0	Personnel Costs				8,118.8
17				Contractual Services				206.7
18				Energy				358.8
19				Aid to Needy Students				158.3
20				Work Study				21.7
21				Grants				21.0
22				Debt Service				397.6
23				Day Care Training				6.0
24	67.2		124.0	TOTAL -- Terry Campus				9,288.9
25								
26				<b>TOTAL -- Delaware Technical and</b>				
27	234.2		697.0	<b>Community College</b>				59,896.3
28								
29								
30				<b>(90-07-01) Delaware Institute of Veterinary</b>				
31				<b>Medical Education</b>				
32				Tuition Assistance				233.7
33				<b>TOTAL -- Delaware Institute of Veterinary</b>				
34				<b>Medical Education</b>				233.7
35								
36								
37	<b>234.2</b>		<b>697.0</b>	<b>TOTAL -- HIGHER EDUCATION</b>				<b>210,696.3</b>

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-01-00) State Board of Education and State Board for Vocational Education and Department of Education</b>			
70.3		115.2				10,923.0
						35.8
						401.3
						36.6
						37.6
		1.0				280.5
	1.0				267.7	
						600.0
						1,220.0
						35.0
						573.5
						119.9
						45.7
						2.0
						1.0
						57.0
						42.0
					65.1	510.7
						160.8
		1.0				178.2
						500.0
		2.5				287.0
						100.0
						7,250.1
					100.0	329.5
						60.0
						100.0
					34.0	
					27.5	
					15.0	
	1.0				500.0	
			<b>TOTAL -- State Board of Education and State Board for Vocational Education and Department of Education</b>			
70.3	2.0	119.7			1,009.3	23,887.2
70.3	2.0	119.7				
			(-01) State Board and Secretary of Education and Department of Education		1,009.3	23,887.2
70.3	2.0	119.7	TOTAL -- Internal Program Unit		1,009.3	23,887.2

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-02-00) School District Operations</b>			
		10,830.0				
						376,551.7
						7,395.1
						153,500.8
						20,158.2
						14,356.3
						64,764.7
						6,281.2
						1,000.0
						1,600.0
						511.8
						527.7
						184.1
						3,050.0
					1,000.0	
						22.3
						27,984.4
		10,830.0			1,000.0	677,888.3
			<b>TOTAL -- School District Operations</b>			
		10,830.0				636,726.8
			1,000.0			13,154.8
						28,006.7
		10,830.0	1,000.0			677,888.3
			<b>TOTAL -- Internal Program Units</b>			

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

1	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
2								
3								
4				<b>(95-03-00) Block Grants and Pass Through Programs</b>				
5				Education Block Grants				
6				Adult Education and Work Force Training				8,118.2
7				Grant				
8				Professional Accountability and Instructional				8,400.5
9				Advancement Fund				
10				Academic Excellence Block Grant				31,624.9
11				K-12 Pass Throughs				
12				Delaware Nature Society				9.6
13				Children's Beach House				70.8
14				Read Aloud				250.0
15				National Council for Community & Justice				87.3
16				Summer School - Gifted & Talented				198.8
17				Center for Economic Education				195.2
18				Educational Resources				251.6
19				DE Institute for Arts in Education				132.4
20				Advanced Studies				94.3
21				Student Organization				193.8
22				Parents as Teachers				1,218.6
23				Pregnant Students				279.8
24				Delaware Teacher Center				520.4
25				Reading Assist				265.0
26		3.0	4.5	Smithsonian Project		800.0		1,589.6
27				On-Line Periodicals				487.0
28				Jobs for DE Graduates				571.3
29				Delaware Geographic Alliance				48.5
30				Creative Mentoring				260.0
31				Delaware History Day Competition				4.8
32				Special Needs Programs				
33				Early Childhood Assistance				4,903.2
34			1.0	Children with Disabilities				2,801.3
35		1.0		Unique Alternatives		890.7		11,372.0
36				Exceptional Student Unit - Vocational				469.9
37				Related Services for the Handicapped				2,477.0
38				Adolescent Day Program				36.0
39		1.0		Children Services Cost Recovery Project		785.7		
40				Sterck Summer Program				40.0
41				Tech-Prep 2 + 2				458.8
42				Student Discipline Program				15,917.6
43				Extra Time for Students				10,428.0
44				Limited English Proficient				1,000.0
45			31.7	Prison Education				2,607.0
46				Innovative After School Initiatives				200.0
47				Reading Resource Teachers				6,970.0
48				First State School				231.0
49				Driver Training				
50		1.0	12.0	Driver's Education		61.1		1,509.2
51		6.0	49.2	<b>TOTAL -- Block Grants and Pass Through Programs</b>			2,537.5	116,293.4
52								
53								
54				(-10) Education Block Grants		48,143.6		
55		3.0	4.5	(-15) K-12 Pass Throughs	800.0	6,728.8		
56		2.0	32.7	(-20) Special Needs Programs	1,676.4	59,911.8		
57		1.0	12.0	(-30) Driver Training	61.1	1,509.2		
58		6.0	49.2	<b>TOTAL -- Internal Program Units</b>	<b>2,537.5</b>	<b>116,293.4</b>		

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

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
5				<b>(95-04-00) Pupil Transportation</b>			
6				Public School Transportation			59,541.2
7				Neighborhood Schools Transportation Savings			269.4
8				Non-Public School Transportation			
9				Reimbursement			3,000.0
10				<b>TOTAL -- Pupil Transportation</b>			62,810.6
12				(-01) Transportation			62,810.6
13				<b>TOTAL -- Internal Program Unit</b>			62,810.6
16				<b>(95-06-00) Delaware Advisory Council on Career and Vocational Education</b>			
18			3.0	Personnel Costs			209.3
19				Travel			6.7
20				Contractual Services			63.8
21				Supplies and Materials			5.0
22				<b>TOTAL -- Delaware Advisory Council on Career and Vocational Education</b>			284.8
23			3.0				
25			3.0	(-01) Advisory Council			284.8
26			3.0	<b>TOTAL -- Internal Program Unit</b>			284.8
29				<b>(95-07-00) Delaware Center for Educational Technology</b>			
31			7.0	Personnel Costs			542.9
32				Operations			291.3
33				Technology Block Grant			1,000.0
34				<b>TOTAL -- Delaware Center for Educational Technology</b>			1,834.2
35			7.0				
37			7.0	(-01) Delaware Center for Educational Technology			1,834.2
38				<b>TOTAL -- Internal Program Unit</b>			1,834.2
39			7.0				
42				<b>(95-08-00) Delaware Higher Education Commission</b>			
43			7.0	Personnel Costs			453.5
44				Travel			8.0
45				Contractual Services			311.8
46				Supplies and Materials			6.1
47				Scholarships and Grants			2,495.8
48				National Teacher Certification Loan Program			100.0
49				Michael C. Ferguson Awards			600.0
50				<b>TOTAL -- Delaware Higher Education Commission</b>			3,975.2
51			7.0				
52			7.0	(-01) Delaware Higher Education Commission			3,975.2
53				<b>TOTAL -- Internal Program Unit</b>			3,975.2
54			7.0				
56	<b>70.3</b>	<b>8.0</b>	<b>11,015.9</b>	<b>TOTAL -- DEPARTMENT OF EDUCATION</b>		<b>4,546.8</b>	<b>886,973.7</b>

<b>Personnel</b>					<b>\$</b>			
<b>TFO</b>	<b>TFC</b>	<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>TTF</b>	<b>ASF</b>	<b>GF</b>	
<b><u>TOTALS</u></b>								
1,592.0	227.0	1,853.0	1,495.9	11,349.8	<b>TOTAL - DEPARTMENTS</b>	277,398.3	461,462.0	1,502,737.7
		234.2		697.0	<b>TOTAL - HIGHER EDUCATION</b>			210,696.3
		70.3	8.0	11,015.9	<b>TOTAL - PUBLIC EDUCATION</b>		4,546.8	886,973.7
<b>1,592.0</b>	<b>227.0</b>	<b>2,157.5</b>	<b>1,503.9</b>	<b>23,062.7</b>	<b>GRAND TOTAL</b>	<b>277,398.3</b>	<b>466,008.8</b>	<b>2,600,407.7</b>

# 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 2005, 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 2005, the payroll recovery rate for the Worker's Compensation Program shall  
23 be 1.23 percent.

24       (d) For Fiscal Year 2005, the payroll recovery rate for the Deferred Compensation Program shall  
25 be .13 percent. This rate shall be combined with the Fiscal Year 2005 payroll recovery rate for Worker's  
26 Compensation. An amount equal to thirteen one-hundredths (.0013) of the total payroll recovery shall be

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

4 (e) Section 1 of this Act provides funding for a state employee pension rate of 13.25 percent.  
5 The components of the rate are 4.91 percent for the pension liability, 5.91 percent for retiree health  
6 insurance costs, and 2.43 percent for the Post-Retirement Increase Fund.

7 (f) Section 1 of this Act provides funding for a judicial pension rate of 22.56 percent.

8 (g) Section 1 of this Act provides funding for a new State Police pension rate of 13.03 percent.

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

11 GF – General Fund

12 ASF – Appropriated Special Funds

13 NSF – Non-appropriated Special Funds

14 TFO – Trust Fund Operations

15 TFC – Trust Fund Capital

16 FTE – Full-Time Equivalent

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

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

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

25 (i) The defined labor market survey for Fiscal Year 2005 shall be limited to those  
26 governments and institutions of higher education as follows:



	<u>Delaware</u>	<u>Other Counties and Municipalities</u>	<u>Other States</u>
1			
2	New Castle County	Cecil County, Maryland	Maryland
3	Kent County	Caroline County, Maryland	Pennsylvania
4	Sussex County	Salisbury, Maryland	New Jersey
5	Wilmington	Chester County, Pennsylvania	North Carolina
6	Newark	Delaware County, Pennsylvania	Massachusetts
7	Dover	Salem County, New Jersey	New York
8	University of Delaware		Virginia

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

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

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

**Annual Salary**

**STATE OF DELAWARE PAY PLAN\***

**(Standard Work Schedule of 37.5 Hours Per Work Week)**

	<b>PAY GRADE</b>	<b>80% of Midpoint</b>	<b>100% of Midpoint</b>	<b>120% of Midpoint</b>
21	1	16,509**	19,551	23,461
22	2	16,736	20,920	25,104
23	3	17,911	22,389	26,867
24	4	19,161	23,951	28,741
25	5	20,506	25,632	30,758
26	6	21,940	27,425	32,910
27	7	23,473	29,341	35,209
28	8	25,117	31,396	37,675
29	9	26,878	33,597	40,316
30	10	28,758	35,948	43,138
31	11	30,769	38,461	46,153
32	12	32,924	41,155	49,386
33	13	35,230	44,037	52,844

	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
3	14	37,691	47,114	56,537
4	15	40,333	50,416	60,499
5	16	43,158	53,948	64,738
6	17	46,178	57,723	69,268
7	18	49,409	61,761	74,113
8	19	52,868	66,085	79,302
9	20	56,573	70,716	84,859
10	21	60,530	75,663	90,796
11	22	64,767	80,959	97,151
12	23	69,302	86,628	103,954
13	24	74,157	92,696	111,235
14	25	79,345	99,181	119,017
15	26	84,898	106,123	127,348

16 \* - Annual Salary in Whole Dollars.

17 \*\* - Minimum State Salary.

18 **STATE OF DELAWARE PAY PLAN\***

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

	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
22	1	16,683	20,854	25,025
23	2	17,852	22,315	26,778
24	3	19,102	23,877	28,652
25	4	20,438	25,547	30,656
26	5	21,871	27,339	32,807
27	6	23,401	29,251	35,101
28	7	25,039	31,299	37,559
29	8	26,793	33,491	40,189
30	9	28,668	35,835	43,002
31	10	30,674	38,343	46,012
32	11	32,819	41,024	49,229
33	12	35,119	43,899	52,679
34	13	37,577	46,971	56,365
35	14	40,209	50,261	60,313
36	15	43,022	53,778	64,534
37	16	46,036	57,545	69,054
38	17	49,256	61,570	73,884
39	18	52,703	65,879	79,055
40	19	56,394	70,492	84,590
41	20	60,343	75,429	90,515
42	21	64,568	80,710	96,852
43	22	69,088	86,360	103,632
44	23	73,921	92,401	110,881
45	24	79,098	98,872	118,646

	<b>PAY GRADE</b>	<b>80% of Midpoint</b>	<b>100% of Midpoint</b>	<b>120% of Midpoint</b>
3	25	84,634	105,792	126,950
4	26	90,558	113,198	135,838

5 \* - Annual Salary in Whole Dollars.

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

<b><u>DEPARTMENT</u></b>	<b><u>CLASS SERIES</u></b>
11 Department of Health & Social Services	Drug Control and Enforcement Agents
12	Chief Drug Control and Enforcement
13	Drug Control Administrator
14 Department of Correction	Food Service Quality Control Administrator
15	Community Work Program Coordinator
16	Director of Probation and Parole
17	Pre-Trial Presentence Manager
18	Probation and Parole Officer
19	Probation and Parole Regional Manager
20	Probation and Parole Supervisor
21	Probation and Parole Operations Manager
22	Support Services Manager-DCC
23	Special Services Manager
24	Trainer/Educator I, II, III
25	Correctional Treatment Administrator-DCC
26	Correctional Treatment Administrator-SCI
27	Correctional Officer

1		Correctional Security Superintendent
2		Warden and Deputy Warden
3	Department of Agriculture	Meat Inspectors/Supervisor
4		Meat and Poultry Inspector Officer
5		Food Products Inspection Administrator
6	Fire Prevention Commission	Training Administrator I
7	Department of Safety and Homeland Security	Telecommunications Specialist Series (ERC)
8		Telecommunications Central Control Specialist
9		Series
10	Department of Transportation	Toll Collectors
11		Toll Collection Supervisor
12		Transportation Management Center
13		Toll Corporals
14		Toll Sergeants

15 (v) During the fiscal year ending June 30, 2005, the State Personnel Director may designate,  
16 with the concurrence of the Budget Director and the Controller General, other appropriate  
17 classes or groups of employees to work and be paid according to a standard work week of  
18 40 hours. Such designation shall be based upon the operational necessity of agencies to  
19 require employees to regularly and consistently work in excess of 37.5 hours per week  
20 and upon the availability of any required funding.

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

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

25 (1) The appointing authority shall identify job classes or job families to be considered for  
26 selective market variations according to turnover rates, recruitment problems, vacancy

1 rates, feasibility for the work to be performed on a contractual basis and other criteria  
2 established by the State Personnel Director.

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

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

8 (4) Any such selective market variations which the State Personnel Director, the Budget  
9 Director and the Controller General have determined to be warranted and have been  
10 approved by the Joint Finance Committee, shall be designated to become effective July 1,  
11 2004, provided that such variations have been processed as part of the regular budgetary  
12 process and the funds for such changes shall be appropriated.

13 (5) The State Personnel Director shall establish criteria with the State Budget Director and the  
14 Controller General to allow for selective market to be effective January 1, 2005. An  
15 appointing authority may apply for selective market variation for job classes or job  
16 families that are experiencing severe recruitment and retention issues for January 1, 2005.  
17 Funds must be available within the agency budget to fund the selective market variation  
18 until such time as the General Assembly appropriates such funds.

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

- 1 (7) Employees assigned to job classifications approved under the selective market variation  
2 program shall have their salaries adjusted in accordance with the following:
- 3 (i) The salary of employees in positions added to the selective market variation program  
4 on or after July 1, 2004, prior to the application of the general increase outlined in  
5 Section 8(c)(1)(i), whose salary in effect as of June 30, 2004, is below the adjusted  
6 minimum salary for the assigned job classification shall be increased to the adjusted  
7 minimum salary or an advanced starting salary recommended by the State Personnel  
8 Director and the salary of employees whose current salary falls within the adjusted  
9 salary range shall not be increased.
- 10 (ii) The salary of employees in positions added to the selective market variation program  
11 before June 30, 2004, after the application of the general increase outlined in Section  
12 8(c)(1)(i) whose salary in effect as of June 30, 2004, is below the adjusted minimum  
13 salary for the assigned job classification shall be increased to the adjusted minimum  
14 salary or an advanced starting salary recommended by the State Personnel Director  
15 and the salary of employees whose current salary falls within the adjusted salary  
16 range shall not be increased.
- 17 (8) All classes assigned to selective market variation who have not met the criteria to qualify  
18 for an adjustment for two consecutive years, shall have their midpoints reduced by seven  
19 percent effective July 1, 2004. All classes whose selective market midpoint is not seven  
20 percent higher than the midpoint of the regular merit State of Delaware payscale once the  
21 general increase has been applied shall move back on to the State of Delaware Pay Plan.  
22 The process by which job classes are removed from selective market variation to the  
23 regular merit State of Delaware Pay Plan will not result in a reduction in salary for  
24 current incumbents who will move from selective market variation to the regular merit  
25 State of Delaware Pay Plan.

1 (9) Effective July 1, 2004, the shift differential rates paid to registered nurses in accordance  
2 with the provisions of Merit Rule 4.15 shall be the same amount in effect as of June 30,  
3 2000.

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

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

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

10 (i) Effective July 1, 2004, the salary of each employee shall be increased by adding the  
11 Fiscal Year 2004 pay supplement to an employee's base salary then applying 3 percent or  
12 \$750.00 whichever is greater.

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

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

20 (ii) The provisions of Subsection (c) of this Section shall not apply to the Governor, members  
21 of the General Assembly, Deputy Attorneys General covered by the attorney pay plan,  
22 Associate Public Defenders covered by the attorney pay plan, DNREC employees  
23 covered by the competency based pay plan, Uniformed State Police, all full-time and  
24 regular part-time non-merit Telecommunications Specialists, Senior Telecommunications  
25 Central Control Specialists, Senior Telecommunications Central Control Specialists and  
26 Telecommunications Central Control Shift Supervisors employed in the Communications  
27 Section of the Division of State Police in the Department of Safety and Homeland

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

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

11 (iv) Notwithstanding Chapters 4.0 and 5.0 of the Merit rules, any Merit System employee  
12 who is covered by the Competency Based Pay Plan provided to the Controller General's  
13 Office on June 8, 1998, shall receive the Fiscal Year 2004 pay supplement added to their  
14 base salary plus a 3 percent salary increase effective July 1, 2004. This plan shall  
15 continue in Fiscal Year 2005 as it was established in 71 Del. Laws, c. 354 § 247. In  
16 addition, the salary levels established in the Competency Based Pay Plan shall be  
17 increased by 3 percent effective July 1, 2004.

18 (v) Notwithstanding Chapters 4.0 and 5.0 of the Merit rules, any attorney covered under the  
19 salary matrices approved for the Office of the Attorney General and the Public Defender  
20 shall receive the Fiscal Year 2004 pay supplement added to their base salary plus a 3  
21 percent salary increase, effective July 1, 2004. In Fiscal Year 2005, the salary plans  
22 approved for the Office of the Attorney General and Public Defender shall continue as  
23 established. In addition, the salary matrices approved for said plans shall be increased by  
24 3 percent effective July 1, 2004.

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

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



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

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

9 (4) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the Attorney  
10 General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for salary  
11 matrices as approved by the Joint Finance Committee, notwithstanding Chapters 4.000 and  
12 5.000 of the Merit Rules. These salary matrices are intended to maintain the salaries of these  
13 attorneys at competitive rates. A committee consisting of the Attorney General, the State  
14 Personnel Director, the Budget Director and the Controller General will biannually review the  
15 Department of Justice Salary Plan. A committee consisting of the Public Defender, the State  
16 Personnel Director, the Budget Director and the Controller General will biannually review the  
17 Public Defender Salary Plan.

18 **(d) MAINTENANCE REVIEWS.**

19 (1) Any such reclassifications/regrades which the State Personnel Director determines to be  
20 warranted as a result of the classification maintenance reviews regularly scheduled by the  
21 State Personnel Office shall be designated to become effective July 1, 2004, provided that  
22 such reclassifications/regrades have been processed as part of the regular budgetary  
23 process and the funds for such reclassifications/regrades have been appropriated.  
24 Maintenance Review classification determination may be appealed to the Merit  
25 Employee Relations Board in accordance with 29 Del. C. § 5915. Paygrade  
26 determinations shall not be appealed.

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

10 **(e) CRITICAL RECLASSIFICATIONS.**

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

16 **(f) OTHER RECLASSIFICATIONS.**

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

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

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

1           **(h) ADMINISTRATIVE REGULATIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

10          (1) Amend 14 Del. C. § 1305(a), by striking the indexed schedule contained in said subsection in its  
11 entirety and by substituting in lieu thereof the following:

12			<b>Bach.</b>	<b>Bach.</b>		<b>Mast.</b>	<b>Mast.</b>	<b>Mast.</b>		
13			<b>Degree</b>	<b>Degree</b>		<b>Degree</b>	<b>Degree</b>	<b>Degree</b>		
14			<b>Plus 15</b>	<b>Plus 30</b>		<b>Plus 15</b>	<b>Plus 30</b>	<b>Plus 45</b>		
15	<b>“Yrs.</b>	<b>No</b>	<b>Bach.</b>	<b>Grad.</b>	<b>Grad.</b>	<b>Mast.</b>	<b>Grad.</b>	<b>Grad.</b>	<b>Grad.</b>	<b>Doctor’s</b>
16	<b>of</b>	<b>Degree</b>	<b>Degree</b>	<b>Credits</b>	<b>Credits</b>	<b>Degree</b>	<b>Credits</b>	<b>Credits</b>	<b>Credits</b>	<b>Degree</b>
17	<b>Exp.</b>									
18	0	0.9610	1.0000	1.0390	1.0780	1.1365	1.1755	1.2145	1.2536	1.2926
19	1	0.9707	1.0098	1.0488	1.0878	1.1463	1.1853	1.2243	1.2633	1.3023
20	2	0.9795	1.0195	1.0585	1.0975	1.1560	1.1950	1.2340	1.2731	1.3121
21	3	1.0146	1.0536	1.0926	1.1317	1.1902	1.2292	1.2682	1.3072	1.3462
22	4	1.0439	1.0800	1.1151	1.1512	1.2038	1.2389	1.2828	1.3218	1.3608
23	5	1.0800	1.1151	1.1512	1.1863	1.2389	1.2750	1.3101	1.3462	1.3813
24	6	1.1151	1.1512	1.1863	1.2214	1.2750	1.3101	1.3462	1.3813	1.4164
25	7	1.1512	1.1863	1.2214	1.2575	1.3101	1.3462	1.3813	1.4164	1.4525
26	8	1.1863	1.2214	1.2575	1.2926	1.3989	1.4340	1.4700	1.5052	1.5412
27	9	1.2214	1.2575	1.2926	1.3277	1.4340	1.4700	1.5052	1.5412	1.5763
28	10			1.3277	1.3638	1.4700	1.5052	1.5412	1.5763	1.6115
29	11			1.3638	1.3989	1.5052	1.5412	1.5763	1.6115	1.6475
30	12				1.4340	1.5412	1.5763	1.6115	1.6475	1.6826
31	13				1.4700	1.5763	1.6115	1.6475	1.6826	1.7177
32	14					1.6115	1.6475	1.6826	1.7177	1.7538
33	15							1.7177	1.7538	1.7889

34           In addition to the indices specified in the schedule contained in this subsection, the following  
35 shall apply to certain individuals paid in accordance with this schedule who were employed by a school  
36 board in Delaware on June 30, 1994:

37           (1) An employee with no degree who was paid in accordance with the 8-year step for the fiscal  
38 year ending June 30, 1994, shall be paid at an index of 1.227 for the fiscal year ending June  
39 30, 1995, at an index of 1.264 for the fiscal year ending June 30, 1996, at an index of 1.300

1 for the fiscal year ending June 30, 2000, and at an index rate of 1.2926 for the fiscal year  
2 ending June 30, 2005 and for subsequent fiscal years

3 (2) An employee with no degree who was paid in accordance with the 9-year step for the fiscal  
4 year ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year ending June  
5 30, 1995, at an index of 1.300 for the fiscal year ending June 30, 2000, and at an index rate of  
6 1.2926 for the fiscal year ending June 30, 2005 and for subsequent fiscal years.

7 (3) An employee with no degree who was paid in accordance with the 10-year step for the fiscal  
8 year ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year ending June  
9 30, 1995, at an index of 1.300 for the fiscal year ending June 30, 2000, and at an index rate of  
10 1.2926 for the fiscal year ending June 30, 2005 and for subsequent fiscal years.

11 (4) An employee with a Bachelor's Degree who was paid in accordance with the 8-year step for  
12 the fiscal year ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year  
13 ending June 30, 1995, at an index of 1.300 for the fiscal year ending June 30, 1996, at an  
14 index of 1.336 for the fiscal year ending June 30, 2000, and at an index of 1.3277 for the  
15 fiscal year ending June 30, 2005 and for subsequent fiscal years.

16 (5) An employee with a Bachelor's Degree who was paid in accordance with the 9-year step for  
17 the fiscal year ending June 30, 1994, shall be paid at an index of 1.300 for the fiscal year  
18 ending June 30, 1995, at an index of 1.336 for the fiscal year ending June 30, 2000, and at an  
19 index rate of 1.3277 for the fiscal year ending June 30, 2005 and for subsequent fiscal years.

20 (6) An employee with a Bachelor's Degree who was paid in accordance with the 10-year step for  
21 the fiscal year ending June 30, 1994, shall be paid at an index of 1.300 for the fiscal year  
22 ending June 30, 1995, at an index of 1.336 for the fiscal year ending June 30, 2000, and at an  
23 index rate of 1.3277 for the fiscal year ending June 30, 2005 and for subsequent fiscal years.

24 (7) An employee with a Bachelor's Degree plus 15 credits who was paid in accordance with the  
25 10-year step for the fiscal year ending June 30, 1994, shall be paid at an index of 1.373 for  
26 the fiscal year ending June 30, 1995, at an index of 1.409 for the fiscal year ending June 30,

1 2000, and at an index rate of 1.3989 for the fiscal year ending June 30, 2005 and for  
2 subsequent fiscal years.

3 (8) An employee with a Bachelor's Degree plus 15 credits who was paid in accordance with the  
4 11-year step for the fiscal year ending June 30, 1994, shall be paid at an index of 1.373 for  
5 the fiscal year ending June 30, 1995, at an index of 1.409 for the fiscal year ending June 30,  
6 2000, and at an index of 1.3989 for the fiscal year ending June 30, 2005 and for subsequent  
7 fiscal years.”

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

10 “The base salary amount for this section, for the fiscal year ending June 30, 2005, shall be  
11 \$24,923.”

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

14	"Years of					
15	Experience	Clerk	Secretary	Senior Secretary	Financial Secretary	Administrative Secretary
16	0	13,556	15,049	15,861	16,309	17,053
17	1	14,102	15,595	16,365	16,816	17,566
18	2	14,646	16,097	16,870	17,324	18,080
19	3	15,193	16,600	17,374	17,829	18,593
20	4	15,704	17,102	17,878	18,336	19,167
21	5	16,187	17,605	18,383	18,869	19,746
22	6	16,669	18,107	18,918	19,441	20,327
23	7	17,151	18,607	19,488	20,013	20,906
24	8	17,634	19,170	20,057	20,585	21,487
25	9	18,117	19,737	20,626	21,157	22,066
26	10	18,599	20,303	21,194	21,731	22,646
27	11	19,139	20,870	21,763	22,303	23,225
28	12	19,683	21,435	22,333	22,874	23,806
29	13	20,228	22,003	22,903	23,447	24,385
30	14	20,774	22,570	23,471	24,021	24,964
31	15	21,319	23,137	24,040	24,590	25,547
32	16	21,863	23,702	24,610	25,162	26,126
33	17	22,410	24,270	25,180	25,735	26,705
34	18	22,953	24,836	25,749	26,306	27,285
35	19	23,498	25,404	26,318	26,881	27,866
36	20	24,041	25,970	26,886	27,453	28,444

1	"Years of			Senior	Financial	Administrative
2	Experience	Clerk	Secretary	Secretary	Secretary	Secretary
3	21	24,599	26,549	27,468	28,037	29,037
4	22	25,171	27,142	28,063	28,634	29,643"
5						

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

8			Chief	Chief			
9			Custodian	Custodian			
10			Supervising	Supervising			
11	"Years of	Custodian	5 or Fewer	6 or More	Maintenance	Skilled	
12	Exp.	Fireman	Custodians	Custodians	Mechanic	Craftsman	
13							
14	0	16,494	17,000	17,257	18,274	18,745	19,193
15	1	16,875	17,382	17,639	18,656	19,223	19,770
16	2	17,257	17,764	18,021	19,053	19,725	20,341
17	3	17,638	18,146	18,401	19,481	20,222	20,914
18	4	18,021	18,526	18,785	19,914	20,657	21,488
19	5	18,401	18,906	19,195	20,345	21,220	22,061
20	6	18,785	19,340	19,627	20,772	21,720	22,633
21	7	19,195	19,772	20,055	21,200	22,219	23,207
22	8	19,627	20,199	20,486	21,631	22,719	23,780
23	9	20,055	20,629	20,914	22,061	23,215	24,355
24	10	20,486	21,059	21,345	22,491	23,717	24,926
25	11	20,914	21,491	21,776	22,919	24,215	25,501
26	12	21,353	21,934	22,218	23,354	24,725	26,089
27	13	21,801	22,386	22,671	23,799	25,246	26,691"

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

30 **"SCHOOL FOOD SERVICE MANAGERS**

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

32	Yrs of							
33	Exp.	Below 351	351-500	501-800	801-1200	1201-1600	1601-2000	2000+
34	0	15,226	16,156	17,083	18,009	18,922	20,046	20,604
35	1	15,690	16,616	17,547	18,474	19,340	20,183	21,025
36	2	16,156	17,083	18,009	18,922	19,761	20,604	21,446
37	3	16,616	17,547	18,474	19,340	20,183	21,025	21,867
38	4	17,083	18,009	18,922	19,761	20,604	21,446	22,288
39	5	17,547	18,474	19,340	20,183	21,025	21,867	22,710
40	6	18,009	18,922	19,761	20,604	21,446	22,288	23,167
41	7	18,474	19,340	20,183	21,025	21,867	22,710	23,631

	<b>Yrs of</b>							
	<b>Exp.</b>	<b>Below 351</b>	<b>351-500</b>	<b>501-800</b>	<b>801-1200</b>	<b>1201-1600</b>	<b>1601-2000</b>	<b>2000+</b>
3	8	18,922	19,761	20,604	21,446	22,288	23,167	24,098
4	9	19,340	20,183	21,025	21,867	22,710	23,631	24,562
5	10	19,761	20,604	21,446	22,288	23,167	24,098	25,024
6	11	20,183	21,025	21,867	22,710	23,631	24,562	25,487
7	12	20,604	21,446	22,288	23,167	24,098	25,024	25,954
8	13	21,025	21,867	22,710	23,631	24,562	25,487	26,417
9	14	21,446	22,288	23,167	24,098	25,024	25,954	26,885
10	15	21,867	22,710	23,631	24,562	25,487	26,417	27,351
11	16	22,300	23,182	24,106	25,035	25,962	26,889	27,825
12	17	22,742	23,670	24,591	25,518	26,447	27,370	28,310"

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

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

	<b>Years of</b>		
	<b>Experience</b>	<b>General Worker</b>	<b>Cook/Baker</b>
18	0	9.34	10.15
19	1	9.47	10.26
20	2	9.62	10.39
21	3	9.71	10.49
22	4	9.83	10.63
23	5	9.99	10.80
24	6	10.14	10.90
25	7	10.23	10.98
26	8	10.30	11.08
27	9	10.41	11.20
28	10	10.52	11.34
29	11	10.71	11.47
30	12	10.83	11.61
31	13	10.95	11.73
32	14	11.08	11.83
33	15	11.20	11.98
34	16	11.35	12.14
35	17	11.49	12.23
36	18	11.64	12.32
37	19	11.79	12.43"

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



	<b>“Years of Experience</b>	<b>Service Aides</b>	<b>Instructional Aides</b>
1			
2	0	12,775	15,030
3	1	13,111	15,442
4	2	13,448	15,854
5	3	13,789	16,268
6	4	14,125	16,679
7	5	14,461	17,094
8	6	14,798	17,506
9	7	15,136	17,919
10	8	15,473	18,329
11	9	15,812	18,742
12	10	16,148	19,153
13	11	16,483	19,531
14	12	16,823	19,904
15	13	17,159	20,280
16	14	17,495	20,652
17	15	17,833	21,031
18	16	18,171	21,404
19	17	18,508	21,780
20	18	18,845	22,153
21	19	19,181	22,529
22	20	19,487	22,904
23	21	19,800	23,287
24	22	20,120	23,716"

25 (8) Each school district shall continue to use salary schedules not less than those in 14 Del. C. §  
26 1322, for all school lunch employees.

27 (9) Effective July 1, 2004, the State shall pay 68.0 percent of the annual salary rate for school lunch  
28 employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 60.0 percent of  
29 salary rate for school lunch employees as set forth in the salary schedule 14 Del. C. § 1322(c).  
30 The remaining percentage of the hourly salary rate for school lunch employees shall be paid  
31 from local funds. The State shall pay other employment costs for school lunch employees at the  
32 ratio of state supported salaries to total salaries, provided for by this Section, for school lunch  
33 employees.

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

36 (11) Section 1 of this Act provides an amount for salaries and other employment costs for Formula  
37 Employees in Public Education. Additional amounts are included in some Block Grants and  
38 Pass Through Programs (95-03-00). Local school districts must charge payroll for local share

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

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

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

12 (2) Amend 14 Del. C. §9219(a), by striking the indexed schedule contained in said subsection in  
 13 its entirety and by substituting in lieu thereof the following:

					<b>Bach. Degree Plus 15 Grad. Credits</b>	<b>Bach. Degree Plus 30 Grad. Credits</b>	<b>Mast. Degree</b>	<b>Mast. Degree Plus 15 Grad. Credits</b>	<b>Mast. Degree Plus 30 Grad. Credits</b>	<b>Mast. Degree Plus 45 Grad. Credits</b>	<b>Doctor's Degree</b>
14											
15											
16	<b>"Yrs. of Exp.</b>	<b>No Degree</b>	<b>Assoc. Degree</b>	<b>Bach. Degree</b>							
17											
18											
19											
20	0	0.902	0.961	1.000	1.039	1.079	1.118	1.157	1.197	1.236	1.255
21	1	0.927	0.986	1.025	1.064	1.103	1.143	1.183	1.222	1.261	1.281
22	2	0.951	1.011	1.049	1.087	1.128	1.167	1.206	1.246	1.285	1.306
23	3	0.958	1.014	1.051	1.088	1.138	1.177	1.215	1.253	1.292	1.310
24	4	0.965	1.019	1.054	1.089	1.149	1.187	1.224	1.260	1.298	1.316
25	5	1.001	1.054	1.089	1.126	1.161	1.197	1.233	1.268	1.305	1.322
26	6	1.036	1.089	1.126	1.161	1.197	1.233	1.268	1.305	1.340	1.358
27	7	1.073	1.126	1.161	1.197	1.233	1.268	1.305	1.340	1.375	1.394
28	8	1.108	1.161	1.197	1.233	1.268	1.305	1.340	1.375	1.412	1.429
29	9	1.143	1.197	1.233	1.268	1.305	1.340	1.375	1.412	1.447	1.465
30	10	1.152	1.233	1.268	1.305	1.340	1.375	1.412	1.447	1.482	1.500
31	11	"	1.242	1.305	1.340	1.375	1.412	1.447	1.482	1.519	1.536
32	12	"	"	1.313	1.375	1.412	1.447	1.482	1.519	1.554	1.572
33	13	"	"	"	1.384	1.447	1.482	1.519	1.554	1.590	1.607
34	14	"	"	"	"	1.456	1.519	1.554	1.590	1.626	1.644
35	15	"	"	1.359	1.403	1.492	1.554	1.590	1.626	1.661	1.679
36	16			1.367	1.412	1.501	1.590	1.626	1.661	1.698	1.715
37	17	"	"	"	"	"	1.598	1.635	1.670	1.706	1.724
38	18	"	"	"	"	"	"	"	"	"	"
39	19	"	"	"	"	"	"	"	"	"	"
40	20	"	"	"	"	"	1.626	1.670	1.715	1.759	1.805
41	21	"	"	"	"	"	1.635	1.680	1.724	1.769	1.814

	Yrs. of Exp.	No Degree	Assoc. Degree	Bach. Degree	Bach. Degree Plus 15 Grad. Credits	Bach. Degree Plus 30 Grad. Credits	Mast. Degree	Mast. Degree Plus 15 Grad. Credits	Mast. Degree Plus 30 Grad. Credits	Mast. Degree Plus 45 Grad. Credits	Doctor's Degree
7	22	“	“	“	“	“	“	“	“	“	“
8	23	“	“	“	“	“	“	“	“	“	“
9	24	“	“	“	“	“	“	“	“	“	“
10	25	“	“	“	“	“	1.670	1.715	1.759	1.805	1.849
11	26	“	“	“	“	“	1.680	1.724	1.769	1.814	1.858

13 INDEX DERIVATION

14 Base = 1.00

15 The base salary for 10-month employees shall be calculated by taking the salary derived at Bachelor's  
 16 degree, 0 years from Section 1305(b), Title 14, Delaware Code, and dividing by .684 to account for 100%  
 17 state funding.”

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

30 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
 31 appropriated by the State to employees with similar training and experience who serve in similar positions  
 32 in the Merit System. In the event that there are no similar positions in the Merit System, the State  
 33 Personnel Director shall establish an exempt position classification only for the purpose of assigning a

1 salary or wage rate to said position. On or before August 15, 2004, the State Personnel Director shall  
2 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each  
3 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall  
4 show the statutory citation which authorizes the establishment of the exempt position(s). The State  
5 Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and  
6 the Controller General. No exempt employee shall be hired until an approved comparability has been  
7 assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or  
8 vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted  
9 under Delaware Law shall become effective unless approved by the State Budget Director, State  
10 Personnel Director and the Controller General. In order to permit the development of the comparability  
11 list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions  
12 and position classification questionnaires describing the duties and responsibilities of each of the  
13 positions. The certification of comparability by the State Personnel Director shall not be withheld  
14 unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class  
15 and/or paygrade in the Merit System shall be paid in accordance with Sections 8(b) and (c) of this Act and  
16 Merit System Rules 4.6 and 4.12; no other salary increases shall be given to such employees unless  
17 specifically authorized in this Act.

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

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

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

3			General	All Other
4	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
5	(01-01-01)	Representative	36.5	
6	(01-02-01)	Senator	36.5	
7	(02-01-00)	Chief Justice - Supreme Court	157.7	
8	(02-01-00)	Justice - Supreme Court	152.0	
9	(02-02-00)	Chancellor - Court of Chancery	150.3	
10	(02-02-00)	Vice Chancellor - Court of Chancery	145.0	
11	(02-03-00)	President Judge - Superior Court	150.3	
12	(02-03-00)	Associate Judge - Superior Court	145.0	
13	(02-03-00)	Commissioner- Superior Court	88.9	
14	(02-03-00)	New Castle County Prothonotary	59.5	
15	(02-03-00)	Kent County Prothonotary	52.8	
16	(02-03-00)	Sussex County Prothonotary	52.8	
17	(02-06-00)	Chief Judge - Court of Common Pleas	148.7	
18	(02-06-00)	Judge - Court of Common Pleas	141.2	
19	(02-06-00)	Commissioner - Court of Common Pleas	88.9	
20	(02-08-00)	Chief Judge - Family Court	150.3	
21	(02-08-00)	Associate Judge - Family Court	145.0	
22	(02-08-00)	Commissioner - Family Court	88.9	
23	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	104.1	
24	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	59.9	
25	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	62.0	
26	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	64.0	
27	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	111.8	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-18-00)	Public Guardian	62.4	
4	(02-18-00)	Executive Director - Violent Crimes Compensation		
5		Board		51.1
6	(02-18-00)	Executive Director - Child Placement Review Board	56.4	
7	(10-01-01)	Governor	114.0	
8	(10-02-00)	Budget Director	117.4	
9	(10-02-08)	Director - SAC	82.2	
10	(10-03-01)	Director - Delaware Economic Development Office	109.8	
11	(10-04-00)	Personnel Director	109.8	
12	(10-07-01)	Executive Director - CJC	83.2	
13	(10-07-01)	Director – Domestic Violence Coordinating Council	61.4	
14	(10-07-02)	Executive Director – DELJIS	73.9	
15	(10-08-01)	Director - Delaware State Housing Authority		102.6
16	(11-00-00)	Chief Information Officer	138.2	
17	(12-01-01)	Lieutenant Governor	64.9	
18	(12-02-01)	Auditor	93.2	
19	(12-03-01)	Insurance Commissioner		93.2
20	(12-05-01)	State Treasurer	97.4	
21	(15-01-01)	Attorney General	120.8	
22	(15-01-01)	Chief Deputy Attorney General	113.9	
23	(15-02-01)	Public Defender	120.8	
24	(15-02-01)	Chief Deputy Public Defender	113.9	
25	(15-03-01)	Parole Board Chairman	70.0	
26	(20-01-00)	Secretary - State	109.8	
27	(20-02-00)	Director - Human Relations	65.7	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(20-03-00)	Director – Division of Archives	79.3	
4	(20-05-00)	Director - Corporations		99.9
5	(20-06-00)	Director - Historical and Cultural Affairs	82.4	
6	(20-07-00)	Director - Arts	72.3	
7	(20-08-00)	State Librarian	78.1	
8	(20-15-00)	State Banking Commissioner		99.2
9	(25-01-00)	Secretary – Finance	117.4	
10	(25-05-00)	Director - Accounting	95.3	
11	(25-06-00)	Director – Revenue	110.7	
12	(25-07-00)	Director - State Lottery		93.6
13	(30-01-00)	Secretary - Administrative Services	102.4	
14	(30-01-00)	Director - Administration	81.1	
15	(30-01-00)	Executive Director - Public Employment Relations		
16		Board	70.5	
17	(30-03-00)	Public Advocate		75.6
18	(30-03-00)	Director - Public Service Commission		80.9
19	(30-03-00)	Director - Professional Regulation		78.5
20	(30-04-00)	Director – Support Services	26.7	51.8
21	(30-05-00)	Director - Facilities Management	86.5	
22	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	42.4	
23	(35-01-00)	Secretary - Health and Social Services	117.4	
24	(35-01-00)	Director - Management Services	91.5	10.3
25	(35-04-00)	Chief Medical Examiner	140.1	
26	(35-05-00)	Director - Public Health	146.5	
27	(35-06-00)	Director – Substance Abuse and Mental Health	126.1	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(35-07-00)	Director - Social Services	51.0	51.0
4	(35-08-00)	Director - Visually Impaired	72.1	
5	(35-09-00)	Director - Long-Term Care Residence Protection	81.9	
6	(35-10-00)	Director - Child Support Enforcement	27.0	54.8
7	(35-11-00)	Director – Developmental Disabilities Services	101.9	
8	(35-12-00)	Director - State Service Centers	81.9	
9	(35-12-00)	Director - Community and Volunteer Services	67.1	
10	(35-14-00)	Director - Services for Aging and Adults		
11		with Physical Disabilities	81.9	
12	(37-01-00)	Secretary - Services for Children,		
13		Youth and Their Families	109.8	
14	(37-01-00)	Director - Management Services	92.8	
15	(37-04-00)	Director - Child Mental Health Services	92.8	
16	(37-05-00)	Director - Youth Rehabilitative Services	92.8	
17	(37-06-00)	Director - Family Services	92.8	
18	(38-01-00)	Commissioner - Correction	117.4	
19	(38-01-00)	Bureau Chief - Management Services	84.5	
20	(38-04-00)	Bureau Chief - Prisons	101.9	
21	(38-06-00)	Bureau Chief - Community Corrections	97.0	
22	(40-01-00)	Secretary - Natural Resources and		
23		Environmental Control	109.8	
24	(40-01-00)	Deputy Secretary - Natural Resources		
25		and Environmental Control	95.3	
26	(40-05-00)	Director - Fish and Wildlife	43.7	43.7
27	(40-06-00)	Director - Parks and Recreation	88.2	



			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(40-07-00)	Director - Soil and Water Conservation	87.4	
4	(40-08-00)	Director - Water Resources	90.0	
5	(40-09-00)	Director - Air and Waste Management	90.0	
6	(40-09-00)	Director - Boiler Safety	56.8	
7	(45-01-00)	Secretary – Safety and Homeland Security	109.8	
8	(45-01-00)	Director - Del. Emergency Management Agency	36.3	36.3
9	(45-03-00)	Commissioner – Alcoholic Beverage Control	102.4	
10	(45-04-00)	Director - Alcoholic Beverage		
11		Control and Tobacco Enforcement	72.7	
12	(45-06-00)	Superintendent - State Police	135.2	
13	(45-06-00)	Assistant Superintendent - State Police	124.1	
14	(55-01-01)	Secretary - Transportation		109.8
15	(55-02-01)	Director – Technology and Support Services		103.6
16	(55-03-01)	Director - Planning		103.6
17	(55-04-01)	Director – Maintenance and Operations		103.6
18	(55-06-01)	Director - Delaware Transit Corporation		103.6
19	(55-08-30)	Chief Engineer		103.6
20	(55-11-10)	Director - Motor Vehicles		103.6
21	(60-01-00)	Secretary - Labor	9.7	89.2
22	(60-06-00)	Director - Unemployment Insurance		84.9
23	(60-07-00)	Director - Industrial Affairs		84.9
24	(60-08-00)	Director - Vocational Rehabilitation		84.9
25	(60-09-00)	Director - Employment and Training	8.5	76.4
26	(65-01-00)	Secretary - Agriculture	102.4	
27	(65-01-00)	Deputy Secretary - Agriculture	76.1	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(70-01-01)	Commissioner - Elections	71.8	
4	(70-02-01)	Administrative Director - New Castle County Elections	68.0	
5	(70-02-01)	Deputy Administrative Director - New Castle		
6		County Elections	68.0	
7	(70-03-01)	Administrative Director - Kent County Elections	68.0	
8	(70-03-01)	Deputy Administrative Director - Kent County Elections	66.7	
9	(70-04-01)	Administrative Director - Sussex County Elections	68.0	
10	(70-04-01)	Deputy Administrative Director - Sussex County Elections	66.7	
11	(75-01-01)	State Fire Marshal	48.3	23.9
12	(75-02-01)	Director - State Fire School	72.2	
13	(76-01-01)	Adjutant General	95.2	
14	(95-01-00)	Secretary of Education	138.2	
15	(95-01-00)	Deputy Secretary of Education	113.4	
16	(95-06-00)	Executive Secretary - Advisory Council on Career		
17		and Vocational Education	89.8	
18	(95-08-01)	Executive Director - Higher Education Commission	74.7	

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

21 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing  
22 authority shall submit a request with appropriate justification to the State Personnel  
23 Director to establish the salary commensurate with the qualifications of the proposed  
24 incumbent and within the position's evaluated pay range. In reviewing requests made  
25 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the  
26 request and shall solicit the advice and written consent of the Budget Director and the

1 Controller General in the event the salary is higher than the amount listed in Section  
2 10(a).

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

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

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

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

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

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

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

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

July 1, 2004

			<u>General</u>	<u>All Other</u>
	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
4	(10-04-00)	Board Members - Pensions		15.0
5	(15-01-01)	Board Members - Consumer Protection	3.5	
6	(15-03-01)	Board Members - Parole	46.1	
7	(20-02-00)	Board Members - Human Relations	2.5	
8	(25-01-00)	Board Members - Revenue	33.0	
9	(30-01-00)	Board Members - Public Employment Relations Board	7.4	
10	(30-01-00)	Board Members - Merit Employee Relations Board	20.0	
11	(30-03-00)	Board Members - Professional Regulation		71.5
12	(30-03-00)	Board Members - Public Service Commission		155.0
13	(30-05-00)	Board Members - Architectural Accessibility Board	2.3	
14	(38-04-00)	Board Members - Institutional Classification	12.0	
15	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
16	(60-07-00)	Board Members - Industrial Accident Board		153.0
17	(65-01-05)	Harness Racing Commission		13.6
18	(65-01-10)	Thoroughbred Racing Commission		13.6
19	(65-01-12)	Nutrient Management Commission	22.4	
20	(70-02-01)	Board Members - New Castle County Elections	21.5	
21	(70-03-01)	Board Members - Kent County Elections	13.0	
22	(70-04-01)	Board Members - Sussex County Elections	13.0	
23	(95-01-01)	Board Members - State Board of Education	16.8	
24	(95-08-01)	Higher Education Commissioners	2.4	

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

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

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

5 "(a) The Lieutenant Governor shall receive an annual salary of \$64,900 for serving as  
6 President of the Senate, of which \$11,124 shall be for performing other duties."

7 Section 11. The salaries contained in Section 10(a) of this Act may be increased according to the  
8 recommendations of the Delaware Compensation Commission Report as contained in 29 Del. C. c. 33.

9 Section 12. Amend Title 29, Section 8308 (g) by deleting the figure "\$100" as it appears therein  
10 and inserting in lieu thereof the figure "\$150."

11 Section 13. Effective January 18, 2005, the annual salary for the Governor shall be increased to  
12 \$132.5 pursuant to the Delaware Compensation Commission Final Report, dated January 9, 2001. The  
13 report has the force and effect of law since it was not rejected in full by the General Assembly prior to  
14 February 1, 2001.

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

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

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

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

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

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

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

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

1 assessment to the Budget Director and the Controller General of their effectiveness at the end of each  
2 period.

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

8 Section 21. All agencies receiving an Energy appropriation in Section 1 of this Act must work  
9 through Department of Natural Resources and Environmental Control and the Executive Department,  
10 Office of the Budget to attain any contract(s) dealing with the retail wheeling of natural gas or electricity.  
11 This includes agencies 01 through 95 with the exception of the University of Delaware.

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

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

23 Section 22. (a) Increased use of videophones and related technologies by agencies comprising  
24 the criminal justice system is beginning to have a positive impact on the operations of these agencies.  
25 One such positive impact is the reduction in the number of trips Department of Correction personnel need  
26 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings  
27 and other procedural matters. To help quantify these positive impacts, agencies with videophones



1 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Budget  
2 Director and Controller General a report on their use of their videophone(s) by December 1 of each year.  
3 This report shall be based on a period from July 1 through June 30 and shall contain information such as,  
4 but not limited to, 1) the number of videophones used; 2) the types of activities for which the  
5 videophone(s) is/are used; 3) the number of times the videophone(s) was/were used for each activity; 4)  
6 any savings or deferred costs resulting from the use of the videophone(s); 5) any costs directly associated  
7 with the use of the videophone(s); and 6) future plans for the use of the videophone(s).

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

13 Section 23. Notwithstanding any other provision of the Delaware Code or this Act to the  
14 contrary, the Office of the Budget, subject to the approval of the Controller General, is authorized to make  
15 technical adjustments to the personnel complement of any agency as appropriated in Section 1 of this Act  
16 in those situations where, due to the rounding of split-funded positions, such an adjustment is necessary  
17 so that an agency may establish its authorized complement.

18 Section 24. Pursuant to Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a  
19 starting rate higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the  
20 advanced salary of newly hired employee, shall provide documentation that sufficient funds exist within  
21 the agency's base budget to fund such actions. An agency that requests approval of a starting rate higher  
22 than 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request  
23 to level up the salary of existing employees, and shall indicate if sufficient funds exist within the agency's  
24 base budget to fund such a leveling up action.

25 Section 25. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax  
26 basis. Employees who have currently designated employee deductions on a post-tax basis shall continue

1 to have those deductions on a post-tax basis as long as the employee remains in a benefit program or the  
2 employee makes a change to pre-tax employee benefit deductions.

3 Section 26. In an effort to reduce the financial impact of worker's compensation and property  
4 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to  
5 implement safety and return to work policies. Any employee who has been on Worker's Compensation  
6 shall be a preferential hire for any position for which the employee is qualified. In accordance with State  
7 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event  
8 the new salary is less than their current salary.

9 Section 27. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years  
10 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be  
11 made for employees paying dues to the Delaware State Education Association (DSEA). For all  
12 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall  
13 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This  
14 change will facilitate the maintenance of the state payroll system as well as establish a consistent process  
15 for managing the collection of dues from members of the Delaware State Education Association.

16 Section 28. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by  
17 the Budget Director, Controller General and the State Personnel Director, temporary appointees may be  
18 assigned to the same position as that already assigned to a permanent employee in order to complete a  
19 special project.

20 Section 29. Employees of the State of Delaware who are enrolled in a health insurance benefit  
21 plan must re-enroll in a plan of their choice during the open enrollment period as determined by the State  
22 Employee Benefits Committee. Should such employee(s) neglect to re-enroll in the allotted time, said  
23 employee(s) and any spouse or dependents shall be automatically re-enrolled in their previous plan as  
24 long as verification of employment is provided by the employee and the State Personnel Office.

25 Section 30. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C.  
26 §5207 shall not apply to individuals employed in accordance with 29 Del. C. §5903 (17).

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Section 31. (a) For the fiscal year ending June 30, 2004, any sums in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2005. Any appropriation listed below that has a balance of zero on June 30, 2004 shall not continue.

<b><u>Fiscal Year</u></b>	<b><u>Appropriation</u></b>	<b><u>Account Codes</u></b>	<b><u>Remarks</u></b>
2004		01-01-01-01-40	Travel
2004		01-01-01-01-41	Leg-Mileage
2004		01-01-01-01-50	Contractual
2003/2004		01-01-01-01-60	Supplies
2004		01-01-01-01-70	Capital
2004		01-01-01-01-81	Committee Expenses
2003/2004		01-02-01-01-40	Travel
2003/2004		01-02-01-01-41	Leg-Mileage
2003/2004		01-02-01-01-50	Contractual
2004		01-02-01-01-60	Supplies
2003/2004		01-02-01-01-70	Capital
2003/2004		01-02-01-01-81	Committee Expenses
2003/2004		01-05-01-01-40	Travel
2004		01-05-01-01-41	Leg-Mileage
2003/2004		01-05-01-01-50	Contractual
2003/2004		01-05-01-01-51	State Governments
2004		01-05-01-01-60	Supplies
1998		01-05-01-01-85	Delegation Expenses
2003		01-05-01-01-98	One-Time
2004		01-08-01-01-51	Print Laws
2004		01-08-01-01-70	Capital

1	2001	01-08-01-01-85	Tri-Cent Committee
2	2001	01-08-01-01-98	One-Time
3	2004	01-08-02-01-40	Travel
4	2004	01-08-02-01-50	Contractual
5	2003/2004	01-08-02-01-60	Supplies
6	2004	01-08-02-01-70	Capital
7	1997/98/99	01-08-02-01-80	Senior Center Reporting
8	2002/03/04	01-08-02-01-81	Contingency – Legislative
9	2004	01-08-02-01-82	Family Law Commission
10	2003/2004	01-08-02-01-85	Formula Update
11	1998/99/2000/01/02/03/04	01-08-02-01-86	Juvenile Detention Oversight Committee
12	1996	01-08-02-01-87	Contingency - Legal
13	2001/02/03/04	01-08-02-01-90	Neighborhood Schools
14	2001/02/03/04	01-08-02-01-91	Clean Air
15	2004	01-08-02-01-93	JFC/CIP Cnt
16	2003/2004	01-08-02-01-97	Contingency – Intern
17	2004	01-08-02-01-98	One-Time
18	2002/03/04	01-08-02-02-00	TriCent Committee
19	2004	01-08-02-08-01	Technical Equipment
20	2002	01-08-02-09-85	Senior Center Projects
21	2002	01-08-02-09-87	Fox Point Park
22	2004	01-08-06-01-50	Contractual
23	2003	02-13-10-01-98	One-Time
24	2004	02-17-01-01-80	Retired Judges
25	2004	02-17-01-01-84	Conflict Attorneys
26	2004	02-17-01-01-85	CASA Attorneys
27	2004	02-17-01-01-86	Family Court Civil Attorneys

1	2004	02-17-01-01-88	Court-Appointed Attorneys/Involuntary Commitments
2	2004	02-17-01-01-89	Interpreters
3	2003/04	02-17-01-01-90	New Castle County Courthouse
4	2003	02-17-01-01-98	One-Time
5	2003	02-17-01-02-00	Computer Training
6	2004	02-18-01-01-80	Special Needs Fund
7	2004	02-18-03-01-80	Ivyane Davis Scholarship Fund
8	2001/03	10-02-01-01-85	Data Development
9	2002/03/04	10-02-01-01-91	Budget Automation
10	1998	10-02-01-01-98	One-Time (Automated Release Date Project)
11	2000	10-02-01-01-99	Technology
12	1997	10-02-01-02-01	Infrastructure
13	2003/04	10-02-01-02-02	Evaluation Project
14	2001	10-02-01-02-04	Security
15	2004	10-02-03-01-50	Contractual
16	2003/04	10-02-03-01-83	Self Insurance
17	2003/04	10-02-04-01-85	Legal Fees
18	2003/04	10-02-04-01-89	Salary/OEC
19	2000	10-02-04-01-99	Technology Initiative
20	2003/04	10-02-04-02-55	Livable Delaware
21	2003/04	10-02-06-01-96	Contingency Fund
22	2001/04	10-03-01-01-87	Welfare Reform
23	2004	10-03-01-01-88	Workplace Literacy
24	2004	10-03-01-01-98	One-Time
25	2004	10-03-03-01-83	World Tr Ct
26	2004	10-03-03-01-86	Trade
27	2004	10-04-02-01-81	Employee Recognition

1	2004	10-04-02-01-87	School-to-Work
2	2004	10-04-02-01-96	Data Development
3	2004	10-04-04-01-99	First Quality
4	1997	10-05-01-01-80	Pilot Projects
5	2003/04	10-05-01-01-81	Education
6	2003/04	10-05-01-01-82	Program Evaluation
7	2003	10-05-01-01-84	Uninsured Action Plan
8	2004	10-05-02-01-80	Operations
9	2004	10-05-03-01-80	Operations
10	2003/04	10-07-01-01-88	Grants 02
11	2000	10-07-02-01-96	Technology
12	2003	11-02-02-01-99	Technology
13	2002/04	12-03-01-01-95	First Quality
14	2004	20-01-05-01-80	Delaware Heritage Commission
15	1998	20-03-01-01-80	Historic Markers
16	2003/04	20-03-01-01-82	Historical Markers
17	1999/00/01/02/03/04	20-03-01-01-98	One-Time
18	2004	20-06-04-01-84	Operations
19	2004	20-06-04-01-85	Art Object Refurbishment
20	2003	20-06-04-01-98	One-Time
21	2004	20-07-01-01-82	Arts Grants
22	2003/04	20-08-01-01-80	Library Standards
23	2004	20-08-01-01-81	Delaware Electronic Library
24	1995	20-08-01-01-82	Wilmington Library
25	2003/04	20-08-01-01-86	DeINET
26	2004	25-05-01-01-50	Contractual Services
27	2004	30-05-10-01-59	Energy

1	2001/02	30-05-10-01-98	One-Time
2	2004	35-01-20-01-83	EBT
3	2002	35-01-20-01-97	Development
4	2000	35-01-20-01-99	Technology
5	2004	35-05-20-01-82	Immunizations
6	2004	35-05-20-01-83	Hepatitis B
7	2004	35-07-01-01-50	Contractual Services
8	2004	35-07-01-01-80	Medicaid-State
9	2004	35-07-01-01-89	Medicaid Non-State
10	2000	35-07-01-01-97	Medicaid Management Information System
11	2002	35-07-01-01-97	Technology
12	2004	35-07-01-02-01	FMAP
13	2004	35-11-30-01-80	Community Services
14	2004	35-11-30-01-81	Purchase of Care
15	2004	35-11-30-01-82	Stockley Transition
16	2004	35-12-10-01-84	Kinship Care
17	2004	37-01-50-01-81	MIS Development
18	2004	38-01-10-01-99	MIS
19	2004	38-01-30-01-80	Medical
20	2004	38-01-31-01-80	Drug Treatment
21	2001	38-01-40-01-95	First Quality
22	2003/04	38-01-40-01-99	Maintenance and Restoration
23	2004	38-04-01-01-85	Distance Learning
24	2003	38-04-01-01-86	Security Equipment
25	2004	38-04-09-01-95	First Quality
26	2003	40-05-04-01-81	WNEV
27	2002/03/04	40-08-01-01-80	Delaware Estuary

1	2004	40-08-01-01-95	First Quality
2	2003	40-08-02-01-97	First Quality
3	1998	40-08-05-01-97	Permitting Project
4	2002	40-08-07-01-81	Whole Basin TMDL
5	2003/04	40-08-07-01-82	TMDL
6	2004	40-09-03-01-83	Recycle Committee
7	2004	45-01-01-01-86	Real Time Crime Report
8	1986	45-01-01-03-81	Hazardous Waste Revolving Fund
9	2003	45-01-30-01-97	Federal Disaster Relief
10	2001/02/03	45-01-30-01-98	One-Time
11	2003	45-06-05-01-96	Specialized Equipment
12	2003	45-06-10-01-82	First Quality
13	2004	45-06-10-01-95	First Quality
14	2003	45-06-11-01-77	Cars & Wagons
15	2004	60-01-10-01-95	First Quality
16	2004	60-09-20-01-82	Summer Youth Program
17	2004	60-09-20-01-88	Skill Grant
18	2004	65-01-08-01-80	Plant Pest
19	2002/03/04	70-01-01-01-81	School Elections
20	2003/04	70-01-01-01-83	Voter Purge
21	2003/04	70-01-01-01-98	One-Time
22	2001	70-01-01-02-00	Reapportionment
23	2003/04	70-01-01-02-01	Technology Development
24	2004	70-02-01-01-80	Mobile Registration
25	2004	70-02-01-01-81	School Elections
26	2003/04	70-02-01-01-98	One-Time
27	2001	70-02-01-02-00	Reapportionment/Address Verification



1	2004	70-03-01-01-80	Mobile Registration
2	2003/04	70-03-01-01-81	School Elections
3	2003/04	70-03-01-01-98	One-Time
4	2004	70-04-01-01-80	Mobile Registration
5	2003/04	70-04-01-01-81	School Elections
6	1997/2003/04	70-04-01-01-98	One-Time
7	2002	75-01-01-01-97	Data Development
8	2001	75-02-01-01-98	One-Time
9	2004	95-01-01-01-89	State Board of Education
10	2003	95-01-01-01-93	Building Improvement
11	2004	95-01-01-01-94	Educator Certification and Development
12	2001/02	95-01-01-01-98	One-Time
13	2002/03/04	95-01-01-02-00	Standards and Assessment
14	2004	95-01-01-02-02	DSTP – On Grade Assessment
15	2004	95-01-01-02-03	Pupil Accounting
16	2004	95-01-01-02-12	Professional Standards Board
17	2004	95-01-01-02-27	DSTP – Off Grade Assessment
18	2004	95-01-01-02-28	DSTP – Retest/EOS/AI
19	2004	95-01-01-02-29	Infrastructure Capacity
20	2003/04	95-01-01-02-30	Educator Accountability
21	2001	95-02-02-02-02	Educator Accountability
22	2003	95-02-02-02-04	School Building Awards
23	2004	95-02-02-02-04	School Improvement
24	2003/04	95-03-10-01-91	Professional Development
25	2004	95-03-15-01-27	Smithsonian Project
26	2004	95-03-15-01-31	Parents as Teachers
27	2003/04	95-03-20-01-27	Student Discipline Program

1	2003/04	95-03-20-01-53	3-5 Program
2	2004	95-03-20-01-82	Early Childhood Assistance
3	2004	95-03-20-01-90	Prison Education
4	1999/2002/03	95-03-20-01-98	One-Time
5	2003/04	95-04-01-01-90	Public School Transportation
6	2004	95-07-01-01-80	Operations
7	2004	95-08-01-01-83	Scholarship
8	1998	95-08-01-01-84	DHEC
9	2000/02/03/04	95-08-01-01-85	Ferguson DSTP Scholarship
10	2000/01/02/03/04	95-08-01-01-88	Physician Loan
11	2002/03/04	95-08-01-01-89	Legislative Essay
12	1997	95-08-01-09-75	GIA Section 1
13	1998	95-08-01-09-77	GIA Tuition
14	2002	95-18-00-02-41	Construction Pressure

15           (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and  
16 not be subject to reversion until September 30, 2005: Tuition Reimbursement (appropriation 0189),  
17 Student Mentoring (appropriation 0207), Discipline Part II (appropriation 0201), LEP (appropriation  
18 0233), Professional and Curriculum Development (appropriation 0205), Professional Mentoring  
19 (appropriation 0151), Teacher to Teacher Instructional Cadre (appropriation 0206). Program expenses  
20 may not be incurred subsequent to the start of the regular 2005-2006 school year.

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

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

26           (e) For the fiscal year ending June 30, 2004, any sums for Fiscal Year 2004 Division II – All  
27 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation

1 0265), Division II – Energy (Appropriation 0159), Division III – Equalization (Appropriation 0186),  
2 Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards  
3 (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School  
4 Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for  
5 the period of one fiscal year.

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

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

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

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

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

1	Fiscal Year	Account	
2	<u>Appropriation</u>	<u>Code</u>	<u>Remarks</u>
3	2003/04	55-01-01-68-00	Operations/Capital
4	2004	55-01-01-68-05	Salary Contingency
5	1999/2003	55-01-01-68-06	Environmental Contingency
6	2003/04	55-01-01-68-15	Personnel Costs
7	2000/02/03/04	55-01-02-68-00	Operations/Capital
8	2003	55-01-02-68-05	E-ZPass Contingency
9	2003	55-01-02-68-09	PY Operations
10	2003/04	55-01-02-68-15	Personnel Costs
11	2003/04	55-01-03-68-00	Operations/Capital
12	2003/04	55-01-03-68-15	Personnel Costs
13	2004	55-01-04-68-01	Travel
14	2004	55-01-04-68-02	Contractual/Supplies
15	2004	55-01-04-68-04	Capital Outlay
16	2004	55-01-04-68-15	Personnel Costs
17	2003/04	55-02-01-68-01	Travel
18	2002/03/04	55-02-01-68-02	Contractual/Supplies
19	2003/04	55-02-01-68-03	Energy
20	2003/04	55-02-01-68-04	Capital Outlay
21	2003/04	55-02-01-68-15	Personnel Costs
22	2004	55-02-03-68-01	Travel
23	2004	55-02-03-68-02	Contractual/Supplies
24	2004	55-02-03-68-04	Capital Outlay
25	2004	55-02-03-68-15	Personnel Costs
26	2001/02/03/04	55-03-01-68-00	Contractual/Supplies
27	2003/04	55-03-01-68-15	Personnel Costs

1	2003/04	55-04-01-68-00	Operations/Capital
2	2003/04	55-04-01-68-15	Personnel Costs
3	2004	55-04-70-68-00	PY Carryover
4	2001/02/03/04	55-04-70-68-02	Contractual/Supplies
5	2003/04	55-04-70-68-03	Energy
6	2003/04	55-04-70-68-04	Capital Outlay
7	2003/04	55-04-70-68-05	Storm Contingency
8	2003/04	55-04-70-68-15	Personnel Costs
9	2003/04	55-04-90-68-01	Travel
10	2002/03/04	55-04-90-68-02	Contractual/Supplies
11	2003/04	55-04-90-68-03	Energy
12	2003/04	55-04-90-68-04	Capital Outlay
13	2004	55-04-90-68-05	E-ZPass Operations
14	2004	55-04-90-68-06	E-ZPass Transponders
15	2003/04	55-04-90-68-15	Personnel Costs
16	2003/04	55-06-01-85-70	Transit Administration
17	2004	55-06-01-85-71	Transit Ops Plng/Cust Serv
18	2003/04	55-06-01-85-72	Transit Operations
19	1987	55-06-01-85-80	DTA Operations
20	2004	55-06-01-85-81	Newark Transportation
21	2004	55-06-01-85-83	Kent & Sussex
22	2004	55-06-01-85-89	Taxi Service
23	2004	55-08-10-68-00	PY Carryovers
24	2004	55-08-10-68-15	Personnel Costs
25	2004	55-08-20-68-15	Personnel Costs
26	2004	55-08-30-68-01	Travel
27	2004	55-08-30-68-02	Contractual/Supplies

1	2004	55-08-30-68-04	Capital Outlay
2	2004	55-08-30-68-15	Personnel Costs
3	2004	55-08-40-68-02	Contractual/Supplies
4	2004	55-08-40-68-03	Energy
5	2004	55-08-40-68-04	Capital Outlay
6	2004	55-08-40-68-15	Personnel Costs
7	2004	55-11-10-68-00	PY Carryovers
8	2004	55-11-10-68-01	Travel
9	2004	55-11-10-68-04	Capital Outlay
10	2004	55-11-10-68-07	Contractual Services
11	2004	55-11-10-68-08	Supplies and Materials
12	2004	55-11-10-68-15	Personnel Costs
13	2004	55-11-10-68-20	Motorcycle Safety
14	2004	55-11-10-68-21	Off Highway Vehicles
15	2004	55-11-20-68-07	Contractual Services
16	2004	55-11-20-68-08	Supplies and Materials
17	2004	55-11-20-68-15	Personnel Costs
18	2004	55-11-20-68-22	CDL Fees
19	2004	55-11-30-68-01	Travel
20	2004	55-11-30-68-04	Capital Outlay
21	2004	55-11-30-68-07	Contractual Services
22	2004	55-11-30-68-08	Supplies and Materials
23	2004	55-11-30-68-15	Personnel Costs
24	2004	55-11-30-68-23	Odometer Forms
25	2004	55-11-30-68-24	Special License Plates
26	2004	55-11-30-68-25	DMVT
27	2004	55-11-50-68-01	Travel

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

# TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 32. (a) Section 1 of this Act includes Appropriated Special Funds of \$25,749.7 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

(10-05-01) Health Care Commission

\$1,000.0	Uninsured Action Plan
\$ 500.0	Diabetes
\$ 48.1	1.0 ASF FTE – Assistance to the Commission on health issues
\$9.0	Casual and Seasonal assistance

(15-01-01) Attorney General

\$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

\$500.0	Disease Cost Containment
\$1,728.4	New Nurse Development Program at Delaware Technical and Community College
\$169.0	Personnel Costs associated with Tobacco Control Programs

This Act makes an appropriation to the Division of Community Health Services for Tobacco Fund Contractual Services. Of that appropriation, funds are allocated as follows:

\$3,490.0	Tobacco prevention through Community Based organizations.
\$ 150.0	Christiana Care for research and testing regimens of detecting lesser known illnesses
\$130.0	Kent County/ Sussex Co. Consumer Health Services – Delaware Academy of Medicine
\$100.0	Gift of Life
\$ 50.0	Urban Health Project
\$129.9	Delaware Ecumenical Council



1           \$200.0       Children and Families First – Resource Mothers Program

2           \$ 47.6        University of Delaware – Delaware School Survey

3   Also appropriated in this Act is \$5,000.0 for Cancer Council Recommendations, of this amount

4   funding is included for the following agencies:

5                       \$150.0        Cancer Care Connection

6                       \$200.0        The Wellness Community

7                       \$75.0         Delaware Breast Cancer Coalition

8                       \$150.0        Breast and Cervical Cancer Treatment (37-07-01)

9   (35-05-30) Health and Social Services – Emergency Medical Services

10           \$133.5        Public Access Defibrillation initiative

11   (35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health

12           \$200.0        Transitional housing for persons completing detoxification

13           \$500.0        Heroin Residential Program

14   (35-07-01) Health and Social Services – Social Services

15           \$6,900.0     Prescription Drug Program

16           \$1,171.2     SSI coverage for persons who lose benefits due to unearned income; Health care

17                            coverage and supplemental payments necessary to insure federal Medicaid

18                            matching funds for former SSI persons who lose benefits due to unearned income

19           \$100.0     Medicaid Non-State - Breast and Cervical Cancer Treatment

20           \$408.7     Increase Medicaid eligibility for pregnant women/infants to 200 percent of

21                            poverty

22           \$430.0     Attendant care

23           \$1,277.6     SSI Supplement

24   (35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities

25           \$351.2     Assisted Living

1 (37-06-20) Department of Children, Youth and Their Families – Prevention/ Early Intervention

2 \$110.0 Tobacco Prevention Programs for Youth

3 (45-04-10) Safety & Homeland Security – Alcoholic Beverage Control and Tobacco Enforcement

4 \$499.0 Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical

5 (95-01-01) Public Education – State Board of Education and Department of Education

6 \$77.7 1.0 ASF FTE School Health Coordinator for statewide training

7 \$120.0 Professional development of public school staff, promotion of prevention  
8 activities in private schools, and prevention and health promotion supplies in  
9 public schools

10 \$70.0 Pilot Life Skills Training Program or other research-based programs

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

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

21 (c) These funds shall be available for Fiscal Year 2005 only.

22 Section 33. The Department of Health and Social Services currently anticipates funding various  
23 tobacco prevention programs with proceeds from the Tobacco Master Settlement Agreement within the  
24 Division of Public Health, Community Health (35-05-00). In the event the resources allocated in Section  
25 1 of this Act do not fully fund the programs, the department may request additional funds from the  
26 Budget Office subject to the approval of the Controller General.

1           Section 34. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
2 Social Services, Division of Social Services (35-07-00) for the Prescription Assistance Program and other  
3 programs funded with Tobacco Settlement funds. These funds may be used for both the client services  
4 and administrative costs of the programs.

5           Section 35. The Delaware Health Fund Advisory Council is directed to submit their proposed  
6 recommendations each fiscal year to the Office of the Budget no later than November 15<sup>th</sup> per Senate  
7 Bill 8 as amended of the 140<sup>th</sup> General Assembly. It is the intent of the General Assembly that the  
8 Delaware Health Fund Advisory Council will present their proposed recommendations before the Joint  
9 Finance Committee in a public budget hearing.

1 **FEDERAL FISCAL RELIEF**

2 Section 36. (a) Section 1 of this Act includes Appropriated Special Funds of \$41,000.0 from  
3 funds received from the Federal Fiscal Relief Fund established in 74 Del. Laws, c. 49. These funds are  
4 intended to be one-time appropriations and not built into the base budget of the State. These funds shall  
5 be allocated as follows:

6 (10-02-04) Office of the Budget, Contingencies and One Time Items

- 7 \$19,000.0 Innovative Technology Fund
- 8 \$1,000.0 Advanced Planning and Acquisition Fund
- 9 \$1,000.0 Federally Qualified Health Centers

10 (10-08-01) Delaware State Housing Authority

- 11 \$6,000.0 Housing Development Fund

12 (35-05-20) Health and Social Services – Community Health

- 13 \$10,000.0 Cancer Council Recommendations – Year 2

14 (40-06-02) Natural Resources and Environmental Control – Parks and Recreation

- 15 \$3,000.0 State Park Water Quality Initiative

16 (95-02-02) Public Education, School District Operations

- 17 \$1,000.0 Full Day Kindergarten Efficacy Study

18 (b) Subsection (a) of this section appropriates \$19,000.0 ASF for an Innovative Technology Fund.  
19 This fund shall be used for the development costs of the enhanced 800 MHz system and the ERP –  
20 Financials Project. The expenditure of these funds shall be in conformance with the provisions of  
21 Section 52 of this Act.

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

1 addressing existing gaps in service across Delaware. Upon completion of the award criteria, said funds  
2 shall be transferred to the Delaware Health Care Commission to be used as one-time grant awards to fund  
3 facility expansion costs within the CHAP system. The maximum state grant for an expansion project will  
4 be \$500,000.

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

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

- 11 (i) \$4,000.0 ASF for the preservation of affordable housing by financing the  
12 rehabilitation of existing, subsidized housing in exchange for significantly  
13 extending the obligations of private owners to participate in federally sponsored  
14 subsidized housing programs. Of the that appropriation, \$1,000.0 ASF shall be  
15 used in support of the Wilmington Housing Partnership (WHP) Residential  
16 Improvement and Stabilization Effort (RISE) program. The RISE program is  
17 targeted toward three areas in Wilmington: Boulevard/North Brandywine, West  
18 Center City/West Side and Browntown/Hedgeville. Prior to the full disbursement  
19 of these funds, the WHP must demonstrate a leveraging of other private and public  
20 funds of at least \$3,000.0; this entire dollar amount does not need to be raised up  
21 front but rather only that amount needed on a project-by-project basis;
- 22 (ii) \$1,000.0 ASF for the revitalization of Delaware communities by financing the  
23 rehabilitation of existing housing units for purchase by first-time homebuyers;
- 24 (iii) \$500.0 ASF to leverage additional federal subsidies for affordable rental housing  
25 units for the elderly and very low income families; and
- 26 (iv) \$500.0 ASF to increase low-income housing initiatives.

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

- 4 (i) Increase screening and early detection of colorectal cancer;
- 5 (ii) Care coordination for all cancer patients;
- 6 (iii) Pay for cancer treatment for the uninsured; and
- 7 (iv) Integrated prevention and awareness programs.

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

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

15 (h) Subsection (a) of this section appropriates \$1,000.0 ASF for Pilot programs to determine the  
16 efficacy of delivering differing full day kindergarten programs.

- 17 (i) The Department of Education shall determine the potential capital, operating and other  
18 costs involved in implementing various forms of full day kindergarten in each school  
19 district and charter school. This information shall be provided to the Budget Office,  
20 Controller General and the Joint Finance Committee by August 15, 2004.
- 21 (ii) Of the \$1,000.0 ASF, up to \$850.0 shall be utilized to pilot and evaluate full day  
22 kindergarten programs. Funding shall provide no more than ten pilot programs statewide,  
23 targeting existing and newly proposed full day kindergarten programs. The Department of  
24 Education shall administer a competitive grant process focusing on a variety of education  
25 models. Grants shall be awarded no later than October 15<sup>th</sup>. Programs eligible for funding  
26 shall be required to provide outcome data, evaluation methods and quantitative and

1 qualitative information to assist in determining the efficacy of different full-day  
2 kindergarten programs.

3 (iii) The remaining \$150.0 shall be utilized by the Department of Education to develop data  
4 collection protocols for full day kindergarten programs and a comprehensive screening  
5 method to aid schools and parents in determining a student's readiness for full-day  
6 kindergarten programs.

7 (iv) To facilitate the Pilot and Best Practice Program, the Joint Finance Committee Chairs, the  
8 Budget Director and the Controller General shall have the authority to establish up to two  
9 committees. One committee shall be focused on operational issues and a second  
10 committee shall be focused on policy issues and best practice as provided above.

11 (i) All remaining unallocated funds, as well as funds from the above allocations left unexpended  
12 or unencumbered, unless continued into the next fiscal year, shall revert to the Federal Fiscal Relief fund.

13 For Fiscal Year 2005, this subsection shall not apply to funds appropriated for Cancer Council

14 Recommendations – Year 2.

# LEGISLATIVE

1  
2       Section 37. 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 38. 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 39. 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 40. 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 41. Section 31 of this Act provides continuing appropriations to the Office of the  
19 Controller General (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such  
20 funds shall be approved by both the Speaker of the House and the President Pro Tempore of the Senate on  
21 issues arising from planning for and implementation of neighborhood schools.



# JUDICIAL

Section 42. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in the following courts as required by caseload and permitted by staffing:

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

Section 43. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office. Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a portion of the fines and fees collected from receivables inherited from the former City of Wilmington Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court Clerks, one Judicial Case Processor and one Fiscal Administrative Officer assigned to collect these receivables. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Budget Director and the Controller General.

Section 44. (a) Notwithstanding any other provisions of the Delaware Code to the contrary, any unencumbered Victim Compensation Fund balance in excess of \$5,000,000 as of June 30 shall be deposited into the Crime Rehabilitation Fund. From the Crime Rehabilitation Fund, \$429.3 ASF shall be transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund family violence services in New Castle County and \$230.2 ASF shall be transferred to said appropriation to fund family violence services in Kent and Sussex counties; \$273.8 ASF shall be transferred to Victims Rights in the Office of the Attorney General; and \$94.0 ASF shall be transferred to Contractual Services in the

1 Department of Correction, Community Corrections, Probation and Parole (38-06-02) to support a  
2 community restorative justice program in New Castle County.

3 (b) Any unencumbered Crime Rehabilitation Fund balance in excess of \$1,500,000 as of June 30  
4 shall be deposited into the General Fund.

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

8 Section 45. Section 1 of this Act appropriates \$22.0 in Contractual Services to Justices of the  
9 Peace Courts (02-13-10) to support lease obligations associated with the establishment of a new Justice of  
10 the Peace Court 1 facility located in the Town of Frankford.

11 Section 46. Upon the approval of a plan submitted to the Budget Director, Controller General  
12 and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer  
13 positions from individual courts to the Administrative Office of the Courts for the purpose of further  
14 centralizing personnel, finance, collections and filing/records management functions therein.

15 Notwithstanding any other provisions of this Act or the Delaware Code to the contrary, positions and  
16 related operating funds may be transferred from Supreme Court (02-01-00), Court of Chancery (02-02-  
17 00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-08-00) and  
18 Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of the State  
19 Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
20 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
21 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle  
22 County may be considered for transfer under this section. In the cases where Merit System positions are  
23 transferred, the incumbents shall retain their Merit System status.

24 Section 47. Judicial (02-00-00) is hereby authorized to utilize existing resources to address the  
25 residual inequity that may exist between the Court Administrator of Justices of the Peace Courts (02-13-  
26 00) and the Court Administrators of Superior Court (02-03-00), Court of Common Pleas (02-06-00) and  
27 Family Court (02-08-00). No additional funding shall be allocated for the aforesaid purpose.

1           Section 48. Section 1 of this Act appropriates \$67.8 in Personnel Costs and 2.0 FTEs to Family  
2 Court (02-08-00) for positions funded by an expiring federal grant. Upon the expiration of the grant, the  
3 existing 2.0 Non-appropriated Special Fund positions will be converted to General Fund positions.

4           Section 49. Section 1 of this Act appropriates \$23.2 in Personnel Costs and 1.0 FTE to the  
5 Administrative Office of the Courts, Office of the State Court Administrator (02-17-01) for a position  
6 funded by an expiring federal grant. Upon the expiration of the grant, the existing 1.0 Non-appropriated  
7 Special Fund position will be converted to a General Fund position.

8           Section 50. Section 1 of this Act provides funding of \$146.9 to a Child Death, Near Death and  
9 Still Birth Commission (02-18-06) created by Senate Bill 279 of the 142<sup>nd</sup> General Assembly. This  
10 appropriation includes 2.0 General Fund FTEs and \$77.2 in Personnel Costs, \$2.0 in Travel, \$3.5 in  
11 Supplies and Materials, \$10.0 in Contractual Services, and \$15.0 in One-Time costs. In addition, 1.0  
12 General Fund FTE and \$39.2 is being transferred to the Commission from the Department of Services for  
13 Children, Youth and Their Families, Child Mental Health Services, Periodic Treatment (37-04-30). If  
14 Senate Bill 279 or similar legislation is not enacted, these appropriations shall revert to the General Fund.

15           Section 51. The Department of Correction and the Administrative Office of the Courts, Office of  
16 State Court Collections Enforcement (02-17-03) shall submit a report with recommendations for  
17 cooperatively and effectively collecting supervision fees. The report, due to the Controller General and  
18 the Budget Director by March 1, 2005, shall consider the following:

- 19           1) the resources necessary to the Office of State Court Collections Enforcement for the  
20           collection of supervision fees;
- 21           2) a description of the resources formerly appropriated to both the Office of State Court  
22           Collections Enforcement and the Department of Correction for the purpose of collecting  
23           supervision fees and a current account of those resources;
- 24           3) the data needed by the Office of State Court Collections Enforcement from the Department of  
25           Correction and the format in which the data is needed;
- 26           4) policy for collecting fees from individuals with multiple probation sentences;

- 1           5) policy for the collection or the purging of unpaid balances of supervision fees from the
- 2           current system;
- 3           6) necessary changes to the Delaware Code for implementation; and
- 4           7) other items deemed appropriate.

1 **EXECUTIVE**

2 Section 52. (a) Section 1 of this Act appropriates \$1,825.0 to the Office of the Budget (10-02-  
3 01) for Technology Development. For Fiscal Year 2005 the following projects may receive an allocation  
4 for planning, development, procuring services or conducting a feasibility/investment analysis provided  
5 they meet all of the requirements contained within this Section:

6 **DEPARTMENT / AGENCY** **SERVICE NEED**

7 Judicial

8 Family Court Phone System

9 Executive

10 Office of the Budget DataMIL Migration

11 Technology and Information

12 Operations Office Biggs Data Center Upgrade

13 Office of Criminal Justice Technology System Standards

14 Legal

15 Office of Attorney General Information Technology Projects

16 Public Defender Information Technology Projects

17 Health and Social Services

18 Substance Abuse and Mental Health Clinical Care Automated System

19 Child Support Enforcement Technology Design

20 Fire Prevention Commission

21 Office of the State Fire Marshal Pen-based Technology

22 Allocation of the funds appropriated for this purpose shall be made by the Budget Director in  
23 consultation with the affected department/agency head. Project allocations shall not be transferred to  
24 another department/agency unless approved by the Budget Director. In the event federal funds are  
25 available for match in support of a project or projects, the Budget Director and the Controller General

1 may transfer such funds as are necessary to meet the match requirements to the department/agency  
2 involved.

3 (b) In no instance shall any information technology (IT) project identified in Subsection (a) of  
4 this Section be initiated by the department/agencies during this fiscal year, until its formalized plan is  
5 approved by the department/agency head, the Budget Director and state Chief Information Officer. The  
6 project plan and the request for funding to be transferred shall consist of a business case for the project  
7 which includes:

8 (i) needs analysis;

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

10 (iii) risk assessment;

11 (iv) stakeholder impact assessment;

12 (v) cost-benefit analysis;

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

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

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

26 (d) Funding shall be transferred on a phase by phase basis. Except for the initial transfer where  
27 the project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the

1 receipt and review of quarterly project status reports by the Budget Director, Controller General and Chief  
2 Information Officer. In instances where the project requires a transfer prior to the deadline for the  
3 quarterly report, a report of the project's status at the time of the request will be necessary.

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

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

11 Section 53. All agencies are directed to remit payment for services rendered by the Department  
12 of Technology and Information within 30 days of receipt of invoice. Services may include, but are not  
13 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional  
14 services, and data processing services.

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

22 Section 54. The General Assembly finds that the establishment of the federal Temporary Aid to  
23 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
24 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
25 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall  
26 be available to mitigate to the extent possible, projected deficits in TANF supported programs within

1 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall  
2 require the approval of the Budget Director and Controller General.

3 Section 55. The amount appropriated to the Office of the Budget, Contingency and One-Time  
4 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of  
5 fringe benefits, and other obligations except coding errors by a school district which require adjustment of  
6 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in  
7 Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the  
8 fiscal year in which the expense was incurred, will require the requesting agency or school district to  
9 reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A line code  
10 reversion sum does not negate the necessity of encumbering sufficient funds to cover known expenses,  
11 proof of circumstances beyond an agency's ability to encumber must be documented on the request for  
12 transfer to be excluded from the reimbursement clause. All requests for prior year funds to complete the  
13 payment of one-time items will require a reimbursement to the Prior Years' Obligations account by the  
14 requesting agency from any appropriation other than personnel costs. The reimbursement can be  
15 removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal  
16 judgments against the agency or school district. A reimbursement under this Section shall not be deemed  
17 to be prohibited by 10 Del. C. § 8111.

18 Section 56. (a) For Fiscal Year 2005, 29 Del. C. § 6529 is interpreted to include the ability to  
19 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
20 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
21 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
22 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring  
23 requests shall also require the review and approval of the Controller General prior to filling.

24 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
25 3.0000 and 13.0000 of the Merit Rules notwithstanding, the State Personnel Director with the approval of  
26 the State Budget Director shall have the authority to extend temporary promotions based on agency need  
27 until the hiring review process has ended. At the time the hiring review process has ended, those



1 temporary promotions granted during the hiring review process shall be subject to the limitations  
2 identified in the Merit Rules governing the duration of temporary promotions.

3 Section 57. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies  
4 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used  
5 to make adjustments in the amount of state special fund appropriations in the event additional state special  
6 funds are received which were not previously anticipated. Such adjustments shall be made in accordance  
7 with the approval of the Budget Director and the Controller General.

8 Section 58. Section 1 of this Act provides an appropriation to Office of the Budget,  
9 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time  
10 Appropriations in the amount of \$2,683.8 shall be non-recurring expenditure items. The Budget Director  
11 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify  
12 the line item, object code and, for all practical purposes, complete and separate accountability for each  
13 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and  
14 the Controller General approvals. Any one-time appropriation for computer hardware, software and  
15 telecommunications, which contemplates the development of computer-related systems, shall be  
16 transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01).  
17 The expenditure of computer or computer related funds shall be subject to the restrictions of the  
18 Development Fund.

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

21 Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items  
22 (10-02-04), are subject to the following terms and conditions:

1	Account		Fiscal Year
2	Codes	Remarks	Appropriation
3	(01-08-01)	Legislative Stationery	20.0
4			
5	(02-02-10)	Equipment, Computers, Furniture	15.6
6	(02-03-10)	Board of Canvas	25.0
7	(02-06-10)	Equipment, Computers, Furniture	4.5
8	(02-18-06)	Equipment, Computers, Furniture	15.0
9			
10	(10-02-01)	Colonial Conference Championship Tournament	30.0
11	(10-02-01)	NASBO	15.0
12	(10-02-08)	Delaware Sentencing Research and Evaluation Committee	40.0
13	(10-03-03)	Small Business Development Center	50.0
14			
15	(12-05-01)	Governors Task Force on Financial Independence	50.0
16			
17	(20-03-01)	Historical Markers	102.5
18	(20-03-01)	100th Anniversary of Archives	50.0
19	(20-03-01)	American Originals Exhibit	150.0
20	(20-06-01)	Potterer William Hare Book Publication	10.0
21	(20-06-04)	Robinson House Painting	10.0
22	(20-06-04)	Washington-Rochambeau Revolutionary War Route	25.0
23	(20-07-01)	Update of Arts Economic Impact Study	50.0
24	(20-07-01)	Statewide Arts Guide	50.0
25			
26	(35-04-01)	Computers and Office Furniture	3.4
27			
28	(40-05-06)	Computers	10.0
29	(40-06-02)	Vehicles	60.0
30	(40-06-03)	Kayaks & Trailers	6.8
31			
32	(45-02-10)	Body Armor	16.1
33	(45-02-10)	Equipment for new FTEs	12.2
34	(45-06-09)	Body Armor Replacements	94.5
35	(45-06-09)	Shotgun Replacements	19.5
36	(45-06-09)	Holster Replacements	60.0
37			
38	(65-01-01)	Crop Insurance	600.0
39			
40	(70-01-01)	2004 General Election	88.0
41	(70-02-01)	New Castle County - 2004 General Election	149.0
42	(70-03-01)	Kent County - 2004 General Election	120.7
43	(70-04-01)	Sussex County - 2004 General Election	114.5
44			
45	(90-01-02)	Vehicle	16.5
46			
47	(95-01-01)	Full-Day Kindergarten Efficacy Study	50.0
48	(95-01-01)	Diploma Indicator Alignment Study	50.0
49	(95-08-01)	Carson Scholarships	500.0
50			

1           Section 59. (a) Section 1 of this Act appropriates \$100.0 to the Office of the Budget,  
2 Contingencies and One-Time Items (10-02-04) for the Capitol Police/DABTCE Agent Pay Plan. Funding  
3 in this appropriation shall be used to provide a salary calculated at 95 percent of midpoint for all  
4 incumbents and new personnel in the following positions: Capitol Police and the Division of Alcoholic  
5 Beverage Control and Tobacco Enforcement (DABTCE) Agent Recruits, Capitol Police Officer I's, ABC  
6 & Enforcement Field Supervisors, Capitol Police Staff Sergeants, Lieutenants and Captains.

7           (b) All other promotions within the divisions of Capitol Police and DABTCE shall receive the  
8 standard 5 percent promotional increase.

9           Section 60. (a) Section 1 of this Act appropriates \$1,143.6 to the Office of the Budget,  
10 Contingencies and One-Time Items (10-02-04) for the Correctional Officer Task Force. Funding in this  
11 appropriation shall be used to create a new Hazard Duty Level A-1 at the rate of \$2,520.00 annually to  
12 include Correctional Officer series and Probation Officer series positions. Hazardous Duty Level A-1  
13 will effectively increase the allocation of Hazardous Duty Level A currently provided to Correctional  
14 Officer and Probation Officer Series positions by \$600.00 annually.

15           (b) The Department of Correction is hereby authorized to develop a recruitment incentive pilot  
16 program. The pilot project shall be approved by the Budget Director and Controller General prior to  
17 implementation.

18           Section 61. Section 1 of this Act appropriates \$100.0 in the Office of the Budget, Contingencies  
19 and One-Time Items (10-02-04) for Delaware Intelligence Analysis Center. Funding in this appropriation  
20 shall be used by the Department of Safety and Homeland Security, State Police (45-06-00) for contractual  
21 support to develop a formalized plan for the implementation of the aforementioned center. The  
22 Department of Safety and Homeland Security shall submit a detailed plan to include, but not be limited  
23 to, associated cost projections. This plan shall be submitted to the Budget Director and Controller  
24 General for approval no later than December 1, 2004.

25           Section 62. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the  
26 Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This  
27 position shall be exempt from the Merit System until such time as the current incumbent vacates the

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

3 Section 63. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project  
4 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)  
5 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This  
6 schedule shall be reviewed by the Criminal Justice Council and approved by the Budget Director and the  
7 Controller General. No changes shall be made to the annual project schedule without the approval of the  
8 Budget Director. After July 15, all ad hoc requests for projects seeking completion during the fiscal year  
9 shall be reviewed by the Budget Director. Work shall not commence on these projects without the  
10 approval of the Budget Director.

11 Section 64. Notwithstanding the provisions of any other law, for the fiscal year ending  
12 June 30, 2005 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall  
13 to the extent of such interest earnings, be used in the following order and manner, not to exceed the  
14 amounts so noted:

- 15 (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic  
16 Development Office, as determined by the Director of the Delaware Economic  
17 Development Office.
- 18 (ii) The second \$125.0 shall be used for the general operating expenses of the economic  
19 development trade office in Taiwan.
- 20 (iii) The third \$350.0 shall be used for the general operating expenses of the Delaware Small  
21 Business Development Center.
- 22 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program  
23 within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
24 General Assembly that these funds shall be used together with non-state contributions to  
25 the Delaware Business Marketing Program. Non-state contributions may be made in cash,  
26 or in-kind. Non-state cash contributions shall be deposited in a special fund for business  
27 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued

1 at their fair market value and recorded in records maintained by the Delaware Economic  
2 Development Authority in connection with the Delaware Business Marketing Program.  
3 Expenditures of the program shall be divided between non-state contributions and state  
4 funds for any fiscal year's appropriations such that non-state contributions are not less than  
5 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to  
6 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-  
7 kind contributions. These funds shall not be used for hiring full-time employees. On or  
8 before April 1, 2005, the Director of the Delaware Economic Development Office shall  
9 provide to the Budget Director and the Controller General a report on the Delaware  
10 Business Marketing Program. The report shall include an itemized list of non-state cash  
11 and in-kind contributions received, total expenditures and an assessment of the program to  
12 date.

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

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

19 Section 65. The Delaware Economic Development Office, Office of the Director (10-03-01) will  
20 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.

21 Funding for this grant shall be maintained at current levels.

22 Section 66. Section 1 of this Act includes a General Fund appropriation for Contractual Services  
23 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual  
24 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140<sup>th</sup> General  
25 Assembly through the fiscal year ending June 30, 2005.

26 Section 67. Section 1 of this Act appropriates \$650.0 to the Office of the Budget, Contingencies  
27 and One-Time Items (10-02-04) for Population Placements. The Budget Director and Controller General

1 shall transfer said funds to the appropriate departments to address priority areas in the care of special  
2 populations.

3 Section 68. Section 1 of this Act appropriates \$2,095.5 ASF to the Delaware Tourism Office. Of  
4 this amount, \$632.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable  
5 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September  
6 30, 2004 or as otherwise approved by the Budget Director and the Controller General.

7 Section 69. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
8 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a  
9 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.  
10 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
11 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
12 Board shall develop rules and regulations for the application and award of the grants and matching grants.  
13 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by  
14 April 1, 2005, detailing the usage of the funds herein authorized. Said report shall also contain an  
15 assessment of the economic impact of the grants programs and effectiveness of extending visitors stays.  
16 If subsequent to the enactment of this Act, Public Accommodations revenue should prove greater than the  
17 budgeted amount of Fiscal Year 2005, the first \$50.0 ASF shall be used to restore full funding for the  
18 Matching Grants and Grant appropriation to \$250.0 ASF. In this event, the Matching Grant portion of the  
19 distribution shall be \$200.0 ASF and the Grant portion shall be \$50.0 ASF.

20 Section 70. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
21 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
22 contained in Section 1 at any time during Fiscal Year 2005, the Budget Director and Controller General  
23 are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost  
24 line.

25 Section 71. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
26 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
27 Kalmar Nyckel. During the period beginning July 1, 2004, and ending on June 30, 2005, the State of

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

7 Section 72. The Delaware Economic Development Office shall provide a bi-annual update to the  
8 Budget Director, Controller General and the Co-Chairs of the Joint Finance Committee regarding the  
9 implementation of the industry/cluster based organization. The bi-annual report, due no later than  
10 December 1<sup>st</sup> and May 15<sup>th</sup> of each year, shall include a status report on the implementation of the  
11 industry clusters, progress of the overall refocusing effort and any proposed changes in implementation of  
12 said clusters.

13 Section 73. Employees of the Delaware Economic Development Office shall be eligible for the  
14 full general salary increase irrespective of their position within their assigned pay grade as part of the  
15 reorganization to a cluster based organizational structure.

16 Section 74. Notwithstanding any other provision to the contrary, the Riverfront Development  
17 Corporation (RDC) shall be authorized to compensate on a one-time basis payment for work completed  
18 by any state employee assigned on a full-time basis to the RDC.

19 Section 75. Any other statutory provision notwithstanding, any change to the Merit Rules  
20 required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State  
21 Personnel.

22 Section 76. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-  
23 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall  
24 be Human Resource Officers who will work on personnel issues for the Department of Transportation.  
25 The source of funding for these positions shall be the Department of Transportation, Human Resources  
26 (55-01-04) and that agency shall reimburse the Office of State Personnel quarterly for all Personnel Costs  
27 and Other Employee Costs associated with these two positions.

1           Section 77. The State Employees Pension Benefits Review Committee will continue to review  
2 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the  
3 benefit structure of the various state pension systems for the purpose of evaluating current pension plan  
4 benefits and recommending changes.

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

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

12          Section 78. Pursuant to House Bill No. 100 of the 141<sup>st</sup> General Assembly, the Budget Director  
13 and the Controller General are authorized to undertake an assessment in building the cost of said initiative  
14 into the rates for State employee health benefits for Fiscal Year 2006.

15          Section 79. Notwithstanding any provision to the contrary, for the purposes of developing and  
16 implementing PHRST Time & Labor, e-Recruit and other PeopleSoft modules, necessary adjustments to  
17 existing State human resource procedures shall be implemented during Fiscal Year 2005 with the written  
18 approval of the co-chairs of the Joint Finance Committee, the Director of the Office of State Personnel,  
19 the Budget Director, and the Controller General.

20          All state organizations shall use all components of the PHRST system if so designated by the  
21 State's Enterprise Resource Planning Executive Sponsors.

22          Section 80. (a) Whenever the annual valuation of the market value of the assets of the Special  
23 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
24 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
25 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

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



1           Section 81. The Board of Pension Trustees may allocate the pension/health insurance monies  
2 received from the State during any month to ensure that funds are available to pay health insurance  
3 premiums for retirees in each month.

4           Section 82. The Board of Pension Trustees and the State Employee Benefits Committee shall  
5 continue to review disability benefits offered for state employees including sick leave, donated leave,  
6 disability pension, short-term disability and long term disability. The review shall include, but not be  
7 limited to, an evaluation of the current programs in place and future recommendations to integrate these  
8 benefits. A report shall be provided to the Governor and co-chairs of the Joint Finance Committee before  
9 December 31, 2004.

10           Section 83. The State Personnel Director, in conjunction with the State Employee Benefits  
11 Committee, shall review all current health plan offerings and provide recommendations to the Joint  
12 Finance Committee no later than November 15, 2004. This shall include, but not be limited to,  
13 recommendations for a revision of the basic plan, incorporation of a health savings account, and overall  
14 state contribution structure for current and future employees. Notwithstanding the provisions of 29 Del.  
15 C. §5202, 5203 and 5204, upon approval from the Joint Finance Committee and the State Employee  
16 Benefits Committee, the State Personnel Director is authorized to solicit requests for proposals and award  
17 contracts establishing alternative plans prior to March 1, 2005, in time for open enrollment and the fiscal  
18 year beginning July 1, 2005.

19           Section 84. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of  
20 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental  
21 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental  
22 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

23           Section 85. Section 1 of this Act appropriates \$250.0 to the Delaware Health Care Commission  
24 (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General  
25 Assembly that these funds shall be used for the continuation of the services provided under the plan after  
26 all other available funds for this purpose have been exhausted. The Commission shall submit a report to

1 the Budget Director and the Controller General no later than August 1, 2004 detailing the plan for the  
2 expenditure of these funds.

3 Section 86. Section 1 of this Act appropriates \$2,067.5 to the Delaware Institute of Medical  
4 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

5	Jefferson Medical College	\$1,000.0
6	Philadelphia School of Osteopathic Medicine	237.5
7	University of Delaware	50.0
8	Christiana Care Health System	200.0
9	Scholarships/Loans	480.0
10	Loan Repayment	<u>100.0</u>
11		\$2,067.5

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

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

1           Section 87. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
2 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
3 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
4 excluded from classified service as defined under 29 Del. C. § 5903.

5           Section 88. In order to ensure that allocated resources are utilized efficiently and are compliant  
6 with generally accepted accounting rules, the Delaware Justice Information System (10-07-02) shall  
7 submit a quarterly report to the Budget Director and the Controller General detailing the purposes for  
8 which any and all funds appropriated from federal, state, or other sources were expended.

9           Section 89. There is hereby established the Delaware Sentencing Research and Evaluation  
10 Committee. The Committee shall be a permanent committee, and shall consist of the incumbent members  
11 of the SENTAC Research Committee. The Office of the Budget and the Controller General shall be  
12 notified of Committee meetings and a representative of each invited to attend and participate in all such  
13 meetings. The immediate past Chair of the Sentencing Accountability Commission (SENTAC),  
14 Honorable Richard S. Gebelein, will serve as Committee liaison to SENTAC, and will present all findings  
15 and reports to SENTAC in a timely fashion for their review and comment.

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

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

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

5           In aid of the mission of the Committee, \$40.0 in General Funds shall be appropriated to the  
6           Budget Office Contingencies and One-Times (10-02-04) to be paid over to the Delaware Sentencing  
7           Research and Evaluation Committee.

# TECHNOLOGY AND INFORMATION

Section 90. The Chief Information Officer 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 91. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Windows 2000 as its statewide network platform and messaging system. In an effort to establish a single, common electronic messaging platform throughout the state, no state agency/department shall migrate, change or switch to an alternative messaging platform without the express written consent of the Chief Information Officer, the State Budget Director and the Controller General. Any agency seeking exemption from this requirement must submit a request to the Chief Information Officer stating clearly reasons for migrating to an alternative platform.

Section 92. The Department of Technology and Information shall publish the statewide telephone directory during Fiscal Year 2005. State agencies shall provide annual updates to the department by the date specified by the department.

Section 93. The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in Section 1 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 as determined by the Chief Information Officer. However, in no case shall individually awarded increases exceed ten percent of an individual's base salary, nor shall the aggregate amount awarded exceed the product of the calculation as described above. Further, in no case shall individually awarded amounts be given retroactively.

1           Section 94. It is the intent of the General Assembly that the Department of Technology and  
2 Information, in conjunction with the Department of Correction, shall prepare a report on inmate telephone  
3 services; the report shall include a description of the past operating procedures and policies, and any  
4 recommended modifications. The Department shall submit said report to the Budget Director, the  
5 Controller General, and the Joint Finance Committee by March 31, 2005.

## OTHER ELECTIVE

1  
2        Section 95. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts  
3 (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

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

9        Section 97. The positions of Director and Deputy Director of the Department of Insurance, Fraud  
10 Prevention Bureau (12-03-01) will be classified as merit positions.

11        Section 98. Section 1 of this Act contains ASF position authorizations and associated  
12 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
13 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
14 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

15        Section 99. Section 1 of this Act provides an ASF appropriation of \$3,247.9 to the State  
16 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,  
17 for the purpose of providing staff support and operational expenses, including payment of fees for  
18 banking services. The \$3,247.9 in interest income on bank deposits shall be coded as special fund  
19 revenue to provide funds for operation of the Cash Management Policy Board.

20        Section 100. Section 1 of this Act establishes a special fund appropriation entitled Electronic  
21 Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support  
22 the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be  
23 coordinated with and approved by the Chief Information Officer of the Department of Technology and  
24 Information and the Secretary of Finance.

1           Section 101. The State Treasurer’s Office shall develop a rate for the purpose of recovering costs  
2 associated with the state’s acceptance of funds through the use of credit, debit and purchasing cards. Cost  
3 recoverable activities shall include online transactions as well as traditional card transactions. The initial  
4 rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The  
5 Treasurer’s Office may initiate an automated revenue reduction process, equal to the approved rate, for all  
6 cash receipts received by the aforementioned methods. The Treasurer’s Office shall provide the agency  
7 with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an  
8 automated revenue reduction process the Treasurer’s Office may invoice a state agency for necessary  
9 reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant  
10 Services fees.

11           Section 102. The State Treasurer’s Office, with the assistance of the Department of Technology  
12 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
13 approve the payment component of all new web-based technology initiatives involving the electronic  
14 remittance of funds to the state. Specifically, those projects promoting the use of online credit card  
15 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of  
16 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
17 already use online credit card payment, online debit card payment, Automated Clearing House payment,  
18 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
19 requirement unless and until such time as their current electronic payment component must undergo any  
20 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
21 of implementing the state’s designated payment component. A standard evaluation form will be designed  
22 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
23 the Government Information Center, where appropriate, and approved by the Office of the Budget.



1           Section 103. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the  
2 Department of Technology and Information, may approve pilot projects for the purpose of electronically  
3 transmitting remittance advices to those employees or contractors receiving payments via direct deposit  
4 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their  
5 request and documentation of cost savings in accordance with the guidelines established by the Office of  
6 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll  
7 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time  
8 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer  
9 and the Budget Director.

# LEGAL

1  
2        Section 104. Section 1 of this Act authorizes an appropriation for Contractual Services for the  
3 Office of Attorney General (15-01-01). Of this amount, \$435.5 shall be used for the purpose of providing  
4 services covering family violence in New Castle County, and \$278.8 shall be used for the purpose of  
5 providing services covering family violence in Kent and Sussex counties.

6        Section 105. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the  
7 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Section 106. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0  
25 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)  
26 to support the Child Support Enforcement function. The Child Support Enforcement function in the  
27 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial

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

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

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

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

18 Section 107. Section 1 of this Act makes an appropriation to Contingency—Attorney Pay Plan in  
19 the Office of the Budget, Contingencies and One-Time Items (10-02-04). This appropriation is for the  
20 purpose of funding the salary matrices of the Office of the Attorney General (15-01-01) and the Office of  
21 the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the Office of the Attorney  
22 General, and \$65.0 is allocated for the Office of the Public Defender. Upon requesting contingency  
23 funds, each agency must submit for approval by the Budget Director and Controller General a report of  
24 personnel activity relating to salary plan movements with a description of the need to use said funds.  
25 Total personnel expenditures by these agencies may not exceed total personnel appropriations.

1           Section 108. Section 1 of this Act includes \$34.9 ASF in Personnel Costs and 1.0 ASF FTE  
2 Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to  
3 provide funding for this position, the Department of Natural Resources and Environmental Control (40-  
4 00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.

5           Section 109. Section 1 of this Act appropriates funding for an increase in the Board of Parole  
6 member's per diem salary for Senate Bill 278. If Senate Bill 278 of the 142<sup>nd</sup> General Assembly or  
7 similar legislation is not enacted, these appropriations shall revert to the General Fund.

# STATE

1  
2       Section 110. 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). This entire amount shall  
4 be used for replacement, repair and refurbishing of historical markers.

5       Section 111. 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 112. (a) Section 1 of this Act establishes a special fund appropriation entitled  
9 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a  
10 result of 8 Del. C. § 391(h)(1), 6 Del. C. §15-1207(b)(1), 6 Del. C. §17-1107(b)(1), 6 Del. C. §18-  
11 1105(b)(1), and 12 Del. C §3813(b)(1) will be deposited into this fund to be used for technological and  
12 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic  
13 government information projects, and library initiatives. Quarterly reports regarding the status of this  
14 fund shall be made by the Department of State to the Budget Director and the Controller General.

15       (b) Of the amount appropriated in Section 1 of this Act, up to \$300.0 may be allocated for  
16 matching grants pursuant to the Delaware Public Library Technology Assistance Act (Title 29, Chapter  
17 66B) for the purposes of implementing a 3-year replacement cycle for public access hardware and  
18 software in Delaware's public libraries. An additional \$100.0 may be provided to the Division of  
19 Libraries for other library technology initiatives.

20       Section 113. Section 1 of this Act contains an authorization for contractual services in the  
21 Division of Corporations (20-05-01). Of this amount, \$600.0 ASF is for credit card processing fees.  
22 Should credit card processing fees exceed this amount during the fiscal year, the Division of Corporations  
23 is authorized up to an additional \$500.0 ASF for these charges.

24       Section 114. Section 1 of this Act provides an appropriation to the Department of State, Office of  
25 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the  
26 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

1           Section 115. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage  
2 Commission (20-01-05) shall be exempt from the Merit System.

3           Section 116. The Delaware Heritage Commission shall investigate which out of print books and  
4 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
5 Commission shall investigate what writings in these categories would be valuable for republication. A  
6 report shall be made to the Controller General and Budget Director by December 1, 2004.

7           Section 117. Section 1 of this Act includes an appropriation to the Department of State, Division  
8 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation  
9 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art  
10 for placement in state museums.

11           Section 118. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State  
12 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits  
13 and art objects in Legislative Hall.

14           Section 119. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
15 Office of the State Banking Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for  
16 costs associated with the collection and administration of the Bank Franchise Tax.

17           Section 120. The Division of Historical and Cultural Affairs shall form and chair a task force  
18 whose purpose is to properly observe the anniversary of the Washington-Rochambeau Revolutionary  
19 Route (W3R) in 2006 and to develop a plan to permanently showcase the W3R in Delaware so as to  
20 explain the history of the Route and the significance of the passage of our Revolutionary War soldiers and  
21 French allies south along what is today the East Coast Greenway in Delaware toward their historic  
22 juncture at Yorktown and the capture of Lord Cornwallis and the British forces invested there.

23           Said task force shall include, in addition to the Director of the Division of Historical and Cultural  
24 Affairs, a representative from: the Delaware Tourism Office; The Delaware Heritage Commission; The  
25 City of Wilmington; New Castle County; the W3R Delaware state committee, and East Cost Greenways-  
26 Delaware. Other participation as the task force feels appropriate is also encouraged.



1           The sum of \$25.0 is appropriated as a One-Time item in the Office of the Budget (10-02-04) as  
2 seed money to support the activities of the task force and to implement such improvements to the W3R in  
3 Delaware which further the objectives of the task force and are of a timely nature.

4           Section 121. The Heritage Commission is authorized to expend \$10.0 from the Delaware  
5 Heritage Foundation fund originally appropriated in FY 2003 for the Cooch’s Bridge Celebration for the  
6 reprinting of “out of print” books.

7           Section 122. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount  
8 of \$3,369.5 for Library Standards. Of that amount, Libraries may reserve up to \$337.0 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.

17           Section 123. Section 1 of this Act provides a special fund appropriation entitled “Technology  
18 Infrastructure Fund”, in the Division of Corporations (20-05-01) in the amount of \$3,000.0. Of this  
19 amount, \$50.0 shall be used to begin expansion of the UdLib/SEARCH project to the State’s public  
20 elementary schools.

# FINANCE

1  
2       Section 124. The Department of Finance, Office of the Secretary (25-01-01) is authorized during  
3 the 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 Office of the Secretary or Revenue (25-06-01). Deposits to the special funds shall be from the collection  
6 of delinquent taxes and shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose  
7 of maintaining Revenue's mainframe computer system and the programs that reside thereon, the  
8 provisions of 29 Del. C. subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0  
9 shall be used to contract for system maintenance with the Department of Technology and Information.

10       Section 125. 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. A detailed report on all expenditures from and collections to this special  
17 fund shall be sent annually to the Budget Director and the Controller General. Unencumbered balances  
18 on June 30 in excess of \$275.0 shall revert to the General Fund.

19       Section 126. The Director of Revenue shall have the authority to accept, on whatever terms and  
20 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue  
21 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit  
22 card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the  
23 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of  
24 taxes by credit cards.

1           Section 127. The Director of Revenue shall have the authority to enter into agreements according  
2 to which contingency and other fees are provided to finders of property to be escheated to the State or to  
3 other persons identifying abandoned property by means of audit or otherwise. When the Director deems  
4 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of  
5 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid  
6 agreements. The Director may direct that payment for said fees or other costs incident to escheat of  
7 property under the aforesaid agreements, including litigation expenses incident to escheat administration,  
8 be made out of such money held in the escrow, custodian or other account established under this  
9 paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which  
10 charges relating to receiving and processing remittances and reports by holders, and claims by owners of  
11 abandoned property, as well as advertising and travel fees and associated costs may be paid and into  
12 which abandoned property remittances may, at the discretion of the Director, be deposited.  
13 Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund. A semi-annual  
14 report of amounts in escrow or in custodian accounts shall be furnished to the Budget Director and the  
15 Controller General.

16           Section 128. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
17 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
18 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
19 the Budget Director, provided that the total operating budget for this fiscal year shall not exceed 20  
20 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

25           Section 129. There shall be established a special fund for the purpose of receiving the proceeds  
26 of liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this  
27 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in

1 issues of the United States Treasury or investments of comparable risk. The Secretary may at his  
2 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

3 Section 130. Pursuant to 29 Del. C. §4815(b)(2), funds from the State Lottery Fund shall be  
4 released to an appropriately established account within the Department of Health and Social Services,  
5 Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the  
6 amount of which shall be based on the results of video lottery operations conducted during the  
7 immediately preceding month.

8 Section 131. Amend 29 Del. C. § 4820(b) by deleting the phrase “provided that the maximum  
9 number of video lottery machines under this subsection shall include no more than 30 video lottery  
10 machines at each racetrack used exclusively for promotional tournaments in which players are not  
11 required to pay any fee to participate” and substituting in lieu thereof the phrase “provided that the  
12 maximum number of video lottery machines under this subsection shall not include video lottery  
13 machines at each racetrack used exclusively for promotional tournaments in which players are not  
14 required to pay any fee to participate. No more than 30 such machines are permissible at each racetrack.”

15 Section 132. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is  
16 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,  
17 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these  
18 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,  
19 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

20 Section 133. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video  
21 lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs  
22 and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery  
23 machines.

# ADMINISTRATIVE SERVICES

1  
2        Section 134. During Fiscal Year 2005, notwithstanding the provisions of 29 Del. C. §5915, the  
3 Merit Employee Relations Board shall hear all maintenance review classification appeals before it in  
4 chronological order, beginning with the oldest such appeal unless all parties are in agreement with other  
5 such arrangements.

6        Section 135. Section 1 of this Act appropriates contractual services to Office of Disability Affairs  
7 (30-01-20). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

8        Section 136. During the fiscal year, the Department of Administrative Services, Facilities  
9 Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings  
10 known as the Kent County Courthouse, O'Brien Building, Family Court Building, the Sussex County  
11 Courthouse, Sussex County Chancery Court, Absolom Jones/Belvedere State Service Center and New  
12 Castle County Courthouse. The retained portion must be deposited as per state laws and shall be  
13 disbursed per Section 1 of this Act.

14        Section 137. For energy backcharge purposes, the Department of Administrative Services (host  
15 department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten percent of the  
16 Public Safety Building, for which energy payment is the responsibility of the host department. The  
17 Department of Transportation is responsible for paying the Motor Fuel Tax portion of the energy bills  
18 upon request for payment by the host department.

19        Section 138. The Secretary of the Department of Administrative Services shall work in concert  
20 with the Chief Justice or his designee to prioritize projects and ensure completion of necessary  
21 renovations and equipment acquisitions within the court system.

22        Section 139. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
23 employee parking in the Government Center Parking Garage as long as such payments are continuances  
24 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
25 positions he or she occupied prior to May 31, 1998.

1           Section 140. Personnel in the Department of Administrative Services, Facilities Management  
2 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive  
3 compensation at their straight time rate of pay for all overtime services performed beyond the normal  
4 work week. The method of compensation is subject to the availability of funds and/or the operational  
5 needs of the Department of Administrative Services, Facilities Management.

6           Section 141. (a) Notwithstanding any state law to the contrary, the Department of  
7 Administrative Services may implement a pilot videoconferencing initiative including the utilization of no  
8 more than six videoconferencing units. State agencies participating in the pilot program may be assessed  
9 and shall pay the charge initiated in the Fiscal Year 2003 for the usage of videoconferencing services and  
10 equipment. Such payments are considered allowable charges to all sources of state funding; sources  
11 include General Fund, Appropriated Special Funds, Non-appropriated Special Fund, Federal Funds and  
12 Transportation Trust Fund.

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

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

18           Section 142. Section 1 of this Act authorizes two (2.0) ASF positions to the Department of  
19 Administrative Services, Public Service Commission (30-03-30). If Senate Bill No. 99 of the 142<sup>nd</sup>  
20 General Assembly or similar legislation is not enacted, these positions shall be deauthorized.

# HEALTH AND SOCIAL SERVICES

Section 143. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse, Registered Nurse, Physician, Dentist and Psychiatrist classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 144. 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 145. 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 146. Notwithstanding any other provisions of the Delaware Code, the merit position Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as the current incumbent vacates such position.

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

1           Section 147. (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 Medicaid – Non-State or State Institutions shall be expended  
19 only on condition that the program is approved and federal matching funds are provided by the  
20 appropriate federal agency except that funds may be expended to cover certain mental health services  
21 received by Medicaid eligible clients even though the federal government has terminated matching funds.

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



1           Section 148. Section 1 of this Act includes an appropriation to the Department of Health and  
2 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.  
3 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
4 week to non-public schools in New Castle County and Kent County.

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

8           Section 149. Personnel in the Department of Health and Social Services, Division of  
9 Management Services (35-01-30) who respond to weather related emergencies and are not covered under  
10 FLSA, shall be entitled to receive compensation at their straight time rate of pay for all overtime services  
11 performed beyond the normal work week. The method of compensation is subject to the availability of  
12 funds and/or the operational needs of the Department of Health and Social Services, Division of  
13 Management Services.

14           Section 150. Section 1 of this Act provides an appropriation to the Department of Health and  
15 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
16 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based  
17 adult health services clinic serving the Claymont area of New Castle County.

18           Section 151. Section 1 of this Act provides an appropriation to the Department of Health and  
19 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,  
20 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the  
21 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from  
22 the Preventive Health and Health Services Block Grant or other federal funds.

23           Section 152. Section 1 of this Act provides an appropriation of \$40.0 to the Department of  
24 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
25 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
26 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or  
27 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public

1 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
2 ambulance company on a form provided by Public Health, indicating that the person for whom the  
3 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
4 in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
5 maintained by Public Health. To insure the success of this program, Public Health and representatives of  
6 the Delaware Volunteer Firemen's Association shall work collaboratively in the best interests of all  
7 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of  
8 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the  
9 needs of the volunteer community have been met, similar assistance may be offered to other fire and  
10 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this  
11 fund, may also be spent to provide any required post vaccination antibody testing in order to assure  
12 adequate protection has been achieved.

13 Section 153. Section 1 of this Act provides an appropriation of \$1,000.0 ASF to the Department  
14 of Health and Social Services, Division of Substance Abuse and Mental Health, Community Mental  
15 Health (35-06-20). The Division of Substance Abuse and Mental Health expects to generate additional  
16 retroactive revenue as a result of TEFRA rebasing of Medicare payment rates at Delaware Psychiatric  
17 Center. These funds shall be used to fund the rebasing project and to purchase medications for  
18 Community Mental Health.

19 Section 154. Section 1 of this Act provides an appropriation for the Department of Health and  
20 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
21 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
22 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

23 Section 155. The State desires to establish a permanent funding program for rodent control  
24 activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent  
25 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
26 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
27 be made no later than September 1, 2005; 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 156. Public Health, Community Health (35-05-20) will receive a portion of the Federal  
4 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The  
5 division shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled  
6 School Based Health Centers to support the cost of this initiative. Up to \$500.0 of the remaining revenue  
7 will be deposited into an ASF account in Social Services (35-07-01) and used for expenses associated  
8 with the normal operations of the Medicaid-Non-State program. This amount may be increased subject to  
9 approval from the Budget Director and Controller General.

10 Section 157. Section 1 of this Act appropriates \$881.8 in Supplies and Materials to the  
11 Department of Health and Social Services, Division of Public Health, Community Health (35-05-20), of  
12 that appropriation \$10.0 is to be used to purchase chemical reference materials for the Office of  
13 Environmental Health Evaluation.

14 Section 158. Section 1 of this Act provides funding for the Department of Health and Social  
15 Services, Division of Public Health, Community Health, Office of Drinking Water (35-05-20) to  
16 administer the Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the  
17 State 21<sup>st</sup> Century Fund and United States Environmental Protection Agency and includes appropriations  
18 for technical assistance and water operator training for drinking water systems in the State. The  
19 Environmental Training Center at the Delaware Technical and Community College and the Delaware  
20 Rural Water Association are the sole providers of water operator training and drinking water system  
21 technical assistance in Delaware therefore available funding through the DWSRF for training and  
22 technical assistance shall be distributed appropriately to these agencies.

23 Section 159. Section 1 of this Act provides an appropriation to the Department of Health and  
24 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
25 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable  
26 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

5 Section 160. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to  
6 receive reimbursement for providing a work study program for local nursing schools and for assigning  
7 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

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

10 Section 161. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Division of  
11 Social Services (35-07-01) for TANF Child Support Pass Through. The Division shall be allowed to  
12 collect and deposit funds into this account as a result of child support payments collected by the Division  
13 of Child Support Enforcement on behalf of TANF clients. These funds will be used by the DSS to make  
14 supplemental payments to clients who are eligible to retain a portion of their child support under State and  
15 Federal TANF budgeting rules.

16 Section 162. Section 1 of this Act makes appropriations to the Department of Health and Social  
17 Services, Social Services (35-07-01), for various programs that pay for health care. In the Medicaid  
18 program, federal regulations mandate that drug companies must provide rebates in order to participate in  
19 the program. Social Services shall establish a drug rebate process for any prescription benefits provided  
20 to clients enrolled in the non-Medicaid programs administered by the division including but not limited  
21 to: the Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription  
22 Assistance program and the Legal Non-Citizen Health Care program. The division shall establish a rebate  
23 process that it determines is in the best interests of the citizens who are being served. The rebate amount  
24 shall be calculated using the full methodology prescribed by the federal government for the Medicaid  
25 program. In addition, the division is authorized to negotiate rebates with drug companies for both  
26 Medicaid and other programs. Notwithstanding any provisions of the Delaware Code to the contrary, the  
27 division shall deposit any drug rebate funds received as well as third party insurance collections (minus

1 retention amounts) and other collections into the appropriate Social Services program account and use  
2 them to meet program costs. These provisions shall be retroactive to July 1, 2003.

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

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

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

13 Section 163. The Department of Health and Social Services is authorized to contract for the  
14 procurement of managed care services for the Diamond State Health Plan. The provisions of 29 Del. C. c.  
15 69 shall not apply to such contracts.

16 Section 164. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under  
17 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management  
18 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and  
19 shall have the authority to allocate such funds, and may advise on the use of other funds specifically  
20 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and  
21 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to  
22 Three, selected through the early intervention process and to ensure coordination with the Program for  
23 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions  
24 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate  
25 this program. The lead agency shall report to the Budget Director and the Controller General on additional  
26 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that  
27 will be deposited into the General Fund in Fiscal Year 2005.

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

9 Section 165. Section 1 of this Act provides an appropriation to the Department of Health and  
10 Social Services, Social Services (35-07-01) for Renal Disease.

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

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

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

23 Section 166. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
24 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
25 through voluntary contributions from medical facilities and from federal matching funds. These positions  
26 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these

1 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
2 State of Delaware. Other medical facilities throughout the state may participate in this program.

3 Section 167. Section 1 of this Act provides an appropriation to the Department of Health and  
4 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
5 II system maintenance. Social Services shall have the authority to contract for positions needed to  
6 provide system maintenance. The division shall also have the authority, with approval from the Budget  
7 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to  
8 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

9 Section 168. The Department of Health and Social Services is authorized to contract with a  
10 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
11 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
12 entering into any such contracts the department will obtain the approval of the Secretary of the  
13 Department of Administrative Services.

14 Section 169. Section 1 of this Act appropriates \$2,138.5 in Personnel Costs and 40.4 FTEs to  
15 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
16 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
17 be filled if the September 2004 educational unit count indicates the number of teachers required to meet  
18 caseloads for visually impaired students is greater than the Fiscal Year 2005 complement of teachers.

19 Section 170. Section 1 of this Act provides an appropriation to the Department of Health and  
20 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be  
21 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
22 impaired school children.

23 Section 171. Section 1 of this Act provides an appropriation of \$1,811.9 ASF in the Department  
24 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.  
25 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The  
26 department shall continue its efforts to maintain collections related to child support programs, and all  
27 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

1           Section 172. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual  
3 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

4           Section 173. Section 1 of this Act appropriates funding to the Developmental Disabilities  
5 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,  
6 \$57.0 shall be used for the Mary Campbell Center.

7           Section 174. Developmental Disabilities Services, Community Services (35-11-30) receives  
8 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day  
9 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and  
10 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day  
11 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community  
12 residential and day program contracts currently funded out of the Purchase of Care and Purchase of  
13 Community Services lines.

14           Section 175. (a) Developmental Disabilities Services (35-11-00) is encouraged, where  
15 appropriate, to reallocate resources so as to maximize community-based residential placements for  
16 persons with mental retardation. Such reallocation initiatives must be made within the total Division's  
17 appropriation limit with the approval of the Budget Director and the Controller General. These  
18 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center  
19 population.

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

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



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

5 Section 176. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of  
6 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The  
7 division shall be allowed to collect and deposit funds into this account as a result of revenue from  
8 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and  
9 tenant fees.

10 Section 177. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
11 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to  
12 buy them and to publish a Human Services Directory, respectively.

13 Section 178. Section 1 of this Act for Department of Health and Social Services, State Service  
14 Centers, Family Support (35-12-10) includes 2.0 FTE (#59625 and #3094) and \$80.9 Personnel Costs  
15 which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the  
16 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

17 Section 179. Section 1 of this Act includes funding for Contractual Services for Department of  
18 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0  
19 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be  
20 distributed annually in a lump sum at the beginning of the contract year.

21 Section 180. The position of Director, Community Services, shall remain exempt from classified  
22 service until such time as the position becomes vacant.

23 Section 181. Notwithstanding any other provisions of the Delaware Code, State employee  
24 recognition funds may be used per existing guidelines to include the recognition of volunteers and other  
25 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

1           Section 182. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
2 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
3 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division  
4 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund  
5 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
6 maintain existing services and provide additional services for adults with physical disabilities. Such  
7 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
8 by the Budget Director and the Controller General.

9           Section 183. Section 1 of this Act makes an appropriation to Contingencies and One-Time Items  
10 (10-02-04) for Salary/OEC Contingency to the Office of the Budget (10-02-04). Of the total  
11 appropriation, up to \$100.0 is intended to fund Senate Bill 112 of the 142<sup>nd</sup> General Assembly or similar  
12 legislation.

13           Section 184. Section 1 of this Act makes an appropriation to the Department of Health and Social  
14 Services, Office of the State Medical Examiner (35-04-00). Of that appropriation, \$41.2 is intended to  
15 fund 1.0 FTE, for a Senior Forensic DNA Analyst, \$1.0 for Supplies and Materials and \$2.0 for Travel  
16 and a one-time appropriation of \$3.4 for furniture and computers to support these positions. In addition,  
17 an additional 1.0 FTE is appropriated with no additional funding for a Forensic DNA Analyst.

18           Section 185. The Fiscal Year 2004 Appropriations Act appropriated funding for 2.0 FTEs and  
19 funding in Personnel and support costs to the Office of the State Medical Examiner (35-04-00). It is the  
20 intent of the General Assembly that the positions and funding be used to continue the implementation of  
21 House Bill 4 of the 141<sup>st</sup> General Assembly.

22           Section 186. Notwithstanding any provisions of the Delaware Code to the contrary, the Division  
23 of Social Services (35-07-01) is authorized to make such policy changes in the administration of the  
24 Temporary Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware  
25 will qualify for the full amount of its federal block grant entitlement. Any changes require the prior  
26 approval of the Budget Director and Controller General.

1           Section 187. In prior fiscal years, Section 1 of this Act appropriated funding to Medicaid State  
2 for funding of State-run institutions. This funding had provided a separate line item appropriation, as  
3 previously required by the federal government, in order to receive Medicaid matching funds. The same  
4 Medicaid matching funds will be received by using the current expenditure of funds that are appropriated  
5 to each institution allowing the Medicaid – State appropriation to be eliminated. The elimination of this  
6 line item does not represent any reduction of services and only represents accounting for the funds in the  
7 most appropriate and efficient manner.

8           Section 188. Anything in 29 Del. C. c. 58, or the Merit Rules of Personnel Administration to the  
9 contrary notwithstanding, employees of the State Department of Health and Social Services, including  
10 employees within the Division of Disabilities Services, who served as contract foster care providers for  
11 the Division of Developmental Disabilities Services shall be eligible to continue to serve as contractual  
12 service providers during Fiscal Year 2005. The Director of the Division of Developmental Disabilities  
13 Services shall ensure that foster care providers employed by the Department of Health and Social  
14 Services are not monitored or reviewed by other Department employees who are more junior to them and  
15 that contractual foster care providers do not serve on the Division’s Placement Review Committee.

16           Section 189. Section 1 of this Act makes an appropriation to the Department of Health and Social  
17 Services, Division of Developmental Disabilities Services (35-11-00). Of that amount, \$250.0 is to be  
18 used to fund day services based on individual support needs (inclusive of adults with extensive personal  
19 care needs) and consistent with the Inventory for Client and Agency Planning (ICAP) - based Division of  
20 Developmental Disabilities Services rate-setting process.

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 190. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

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

Section 191. 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 192. Section 1 of this Act provides an appropriation of \$100.0 to the Department of Services for Children, Youth and Their Families, Management Support Services, Office of the Secretary (37-01-10). These funds shall be used to cover additional costs as a result of mandatory minimum sentencing requirements of House Bill 210 of the 142<sup>nd</sup> Delaware General Assembly.

Section 193. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 194. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and Their Families, Child Mental Health Services (37-04-00). 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

1 will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this  
2 fiscal year, with a maximum of 70 youth at any one time.

3 Section 195. Funds which are appropriated for foster care of children in Section 1 of this Act in  
4 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are  
5 made available with the goal of limiting the number of children who remain in foster care for more than  
6 two years. For the year beginning October 1, 2004, the goal will be 220 children. This goal statement is  
7 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
8 272).

9 Section 196. Family Services is hereby directed to formally notify, in advance, the Foster Care  
10 Review Board of any meeting, hearing or other event of which the Board desires notification. Said  
11 notification shall be directed to the Executive Director of the Board.

12 Section 197. As a means of monitoring and improving the excessive expenditure of  
13 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
14 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
15 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report  
16 shall include, but not be limited to, sick leave usage, vacancy rates, training and transportation costs at the  
17 Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect all  
18 actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

19 Section 198. The Department of Services for Children, Youth and Their Families shall report on  
20 a quarterly basis to the Controller General and Budget Director the status of the Stevenson House Facility  
21 in Milford. This report shall include, but not be limited to, staffing vacancies, total budgetary  
22 expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility  
23 condition and capacities, and incident reports.

24 Section 199. Section 1 of this Act provides an Appropriated Special Fund authorization of  
25 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting  
26 the Young Criminal Offender Program located at the Department of Correction, Prisons, Howard R.  
27 Young Correctional Institution (38-04-06).

1           Section 200. Section 1 of this Act provides an Appropriated Special Fund authorization of  
2 \$113.3 to the Department of Services for Children, Youth and Their Families for the purpose of  
3 supporting a Family Court Commissioner to assist in the Child Protection Registry appeal process as  
4 required pursuant to 16 Del. C. c. 9.

5           Section 201. (a) In addition to the positions authorized in Section 1 of this Act for Family  
6 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director  
7 may authorize additional training positions for the purpose of training investigative and treatment  
8 workers.

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

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

23           Section 202. Section 1 of this Act provides an appropriation to the Department of Services for  
24 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$888.0 for  
25 Pass Throughs. It includes:

1	Child Advocacy Center	\$587.7
2	People's Place, Milford	\$ 67.0
3	CHILD, Inc.	\$233.3

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

8 Section 203. Notwithstanding any provision of the Delaware Code or section of this Act to the  
9 contrary, the Department of Services for Children, Youth and Their Families shall have the authority to  
10 award new contracts for foster care, group care, shelter care and respite care upon resolution of issues  
11 surrounding the request for proposals issued during Fiscal Year 2004. In developing the new request for  
12 proposal, the Department shall provide enhanced communication and define expectations to meet the  
13 needs of children under care and/or supervision of the Department. Contracts shall not be awarded before  
14 March 1, 2005.

15 Section 204. Funds heretofore appropriated to the Department of Children, Youth and Their  
16 Families, Family Services, Office of the Director (37-06-10) for Pass Throughs for the Watchful  
17 Shepherd program may be used for similar services provided by the Child Advocacy Center. Such  
18 services shall be provided in New Castle, Kent, and Sussex counties. Said funds shall not be included, or  
19 be considered, as base budget appropriations for the Fiscal Year 2006 Appropriations Act.

20 Section 205. If the quarterly average daily population at the New Castle County Detention Center  
21 is below 114, the Budget Director and the Controller General may reduce the number of casual seasonal  
22 or full time positions through attrition.

23 Section 206. (a) The Department of Services for Children, Youth and Their Families shall  
24 develop a plan to transition the operation of Grace and Snowden Cottages from contracted services to  
25 State operated facilities. The Budget Director and Controller General shall approve the transition plan  
26 prior to implementation during Fiscal Year 2005.

1 (b) Upon approval of the Budget Director and Controller General, the Department is authorized  
2 to establish up to 29.0 FTEs for educational and secure care operations at Grace and Snowden Cottages.  
3 The Department is also authorized to transfer Contractual Services to Personnel Costs to fund the  
4 positions established for the operation of said facilities.

5 (c) Section 1 of this Act makes an appropriation of \$100.0 to the Office of the Budget,  
6 Contingencies and One-Times (10-02-04) for the transition costs for Grace and Snowden Cottages. These  
7 funds shall be transferred to the Department upon approval of the Budget Director and Controller  
8 General.



# CORRECTION

1  
2       Section 207. (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 208. 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 209. 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.

1           Section 210. The Department of Correction, Administration, Facilities Maintenance (38-01-40),  
2 receives funding for maintenance and restoration projects in the Budget Act. The department must submit  
3 a bi-annual report to the Budget Director and the Controller General, detailing the expenditure of such  
4 funds and the respective projects. The department shall submit a preliminary plan for maintenance  
5 projects for the following fiscal year by October 31, to the Budget Director and the Controller General.

6           Section 211. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
7 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
8 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, \$4.4 for Supplies  
9 and Materials, \$8.4 for casual/seasonal, \$5.7 for Contractual Services and \$0.8 for Travel.

10          Section 212. Section 1 of this Act makes an appropriation to the Department of Correction,  
11 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount \$20.0 shall be used for  
12 the purpose of collecting DNA samples. This provides funding for the implementation of House Bill 4 of  
13 the 141<sup>st</sup> General Assembly.

14          Section 213. Section 1 of this Act provides an appropriation for Personnel Costs to the  
15 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
16 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
17 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is  
18 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

19          Section 214. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
20 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a  
21 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
22 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
23 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of  
24 Correction by June 1 of each year, which will include but not be limited to the mission of the  
25 organization, the statement of the problem, a synopsis of the program, the number of participants,  
26 statistics relating to recidivism rates of those participating in the program and an annual budget of the  
27 organization.

1           Section 215. (a) Section 1 of this Act makes an appropriation of \$4,284.3 to the Department of  
2 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol  
3 Treatment Services; and \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -  
4 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,  
5 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
6 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse  
7 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
8 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
9 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
10 Commissioner of Correction or his designee.

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

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

19           Section 216. Section 1 of this Act provides an appropriation to Community Corrections,  
20 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget  
21 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,  
22 II and III) and the average personnel complement for each level. These reports are due on December 31  
23 and June 30.

24           Section 217. (a) The Department of Correction shall have the authority, upon the concurrence  
25 and approval of the Budget Director and Controller General, to establish up to 6.0 ASF FTEs. The  
26 positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion  
27 of projects requested by the Department of Transportation. Upon approval, 2.0 ASF FTEs shall be

1 assigned to the Department of Correction, Prisons, John L. Webb Correctional Facility (38-04-02), 2.0  
2 ASF FTEs in Department of Correction, Community Corrections, Plummer Work Release Center (38-06-  
3 06) and 2.0 ASF FTEs in Department of Correction, Community Corrections, Central Violation of  
4 Probation Center (38-06-10). The source of funding shall be the Department of Transportation,  
5 Maintenance and Operations, Maintenance Districts (55-04-70). Adjustments to Appropriated Special  
6 Fund spending authority for this program can be made upon the concurrence and approval of the Budget  
7 Director and the Controller General.

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

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

16 Section 218. The Department of Correction, Administration, Office of the Commissioner (38-01-  
17 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget  
18 Director and Controller General. The report shall include the number of overtime hours worked and the  
19 amount of overtime salary expended by each agency within the Department, and shall include a  
20 breakdown of the reason for overtime.

21 Section 219. Prison education services shall be provided by utilizing existing teachers that are in  
22 the Department of Correction as well as authorized teaching positions in the Department of Education.  
23 The management of all educational positions shall be provided by the Department of Education.  
24 Department of Correction teachers shall have the opportunity each year to notify both agencies of their  
25 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each  
26 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
27 shall be permanent.

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

6           Section 220. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
7 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
8 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
9 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
10 percent during night time and weekend hours.

11           Section 221. The Merit Rules notwithstanding, Department of Correction employees designated  
12 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless  
13 of their classification.

14           Section 222. For the upcoming fiscal year, the Videophone System Specialist in the Office of the  
15 Public Defender (15-02-01) shall work with the Department of Correction under the direction of the  
16 Deputy Principal Assistant to the Bureau Chief of Prisons to begin a pilot Distance Learning Program for  
17 persons supervised in Level V facilities. The Department shall submit a report on distance learning  
18 including pilot project recommendations to the Budget Director and the Controller General by  
19 December 31, 2004. Upon approval by the Budget Director and the Controller General, funds up to \$30.0  
20 may be used for implementation.

21           Section 223. The Department of Correction is hereby authorized to review the current security  
22 status classification of its facilities and submit a report, including but not limited to, any proposed security  
23 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such  
24 report shall be submitted to the Budget Director and the Controller General no later than January 1, 2005.  
25 No change shall be made to the security status of the facility without the prior approval of the Budget and  
26 the Controller General.

1           Section 224. The State Budget Director, the Director of State Personnel, and the Controller  
2 General are directed to work with the Department of Correction on a plan to phase-in implementation of  
3 the recommendations of the Task Force on Correctional Officer Compensation, Benefits & Pension Issues  
4 (September, 2003). Special attention and analysis shall be on the Correctional Officer Series pay grades  
5 and pay ranges. Recommendations shall be made no later than November 15, 2004 to the Governor and  
6 Co-chairs of the Joint Finance Committee.

# 1     **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 225. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to  
3 spend up to \$4,132.0 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 226. 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 227. Section 1 of this Act appropriates \$111.6 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 \$75.8 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 228. Section 1 of this Act appropriates \$906.9 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 2005.

1           Section 229. 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 230. Section 1 of this Act makes an appropriation to the Department of Natural  
5 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
6 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of  
7 office space, storage facility, and garage for Mosquito Control.

8           Section 231. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
9 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management  
10 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro  
11 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to  
12 Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each  
13 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes  
14 the complaints and activities of the previous calendar year. These positions will respond to and provide  
15 follow-up on complaints from the community on the air quality throughout New Castle County.

16           Section 232. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

17           (a) An interest-bearing, Non-Appropriated Special Fund known as the Delaware Marsh  
18 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement  
19 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,  
20 2001. The interest income from this trust account will be dedicated to implement the Settlement  
21 Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife  
22 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat  
23 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by  
24 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.



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

5 Section 233. Section 1 of this Act appropriates \$4,070.2 to the Department of Natural Resources,  
6 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to  
7 fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services  
8 and contractual services at the Bellevue State Park system.

9 Section 234. The budget complement of the Department of Natural Resources and  
10 Environmental Control, Water Resources, Environmental Laboratory (40-08-02) includes 2.0 FTEs  
11 Analytic Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes  
12 vacant, it shall be converted to ASF. The remaining position shall not be converted.

13 Section 235. Section 1 of the Act appropriates \$2,699.9 to the Department of Natural Resources  
14 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).  
15 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

16 Section 236. Section 1 of this Act appropriates \$510.4 to the Department of Natural Resources  
17 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that  
18 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0  
19 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

20 Section 237. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and  
21 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and  
22 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,  
23 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based  
24 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

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

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

10 Section 238. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District  
11 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field  
12 staff personnel for the preparation of nutrient management plans.

13 Section 239. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
14 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
15 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
16 abandoned underground storage tank (UST) systems. These USTs shall include those where the  
17 responsible parties have shown to the satisfaction of the Department of Natural Resources and  
18 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and  
19 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery  
20 of the funds expended under the HSCA fund.

21 Section 240. Section 1 of this Act makes an appropriation to the Department of Natural  
22 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
23 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the  
24 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
25 Funding is to be used to provide training for state and local water and wastewater operators.

1           Section 241. Fish and Wildlife is authorized to expend funds carried forward from the sale of  
2 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries  
3 programs and marine enforcement.

4           Section 242. It is intent of the General Assembly that the Department of Natural Resources and  
5 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
6 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers  
7 after such citations have been entered in the courts.

8           Section 243. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
9 which shall be exempt from the Merit System, to the Department of Natural Resources and  
10 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and  
11 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.  
12 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after  
13 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal  
14 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to  
15 the investigation of the incident; and the indirect costs related to all of the above.

16           Section 244. Section 1 of this Act makes an appropriation for contractual services to Department  
17 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-  
18 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

19           Section 245. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the  
20 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife  
21 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol  
22 the inland bays.

23           Section 246. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in  
24 addition to those authorized by 29 Del. C. §5903. When position BP #09228 becomes vacant, it shall be  
25 classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

1           Section 247. Section 1 of this Act includes an appropriation for personnel costs associated with  
2 2.0 additional FTE's within Parks and Recreation, Planning Preservation and Development (40-06-04) for  
3 support of the Indian River Marina. The Department is directed to work with the State Personnel Office  
4 to classify 1.0 of the new FTE's to accurately reflect duties associated with the management of the Indian  
5 River Life Saving Station. The remaining 1.0 FTE will be transferred to Fish and Wildlife Enforcement  
6 (40-05-06) and classified to accurately reflect duties associated with marina security enforcement.

7           Section 248. Section 1 of this Act appropriates \$2,274.9 in General Funds to Parks and  
8 Recreation, Wilmington State Parks (40-06-05). Of this amount \$32.0 shall be used for the construction  
9 of a water system and \$17.5 shall be used for monument and general maintenance within the parks.

10          Section 249. Section 1 of this Act appropriates \$66.3 ASF in Personnel Costs and 1.0 ASF FTE  
11 Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from  
12 the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the  
13 Secretary, Energy Office (40-01-05). This funding and position is contingent upon the enactment of  
14 House Bill 434 of the 142nd General Assembly. If House Bill 434 is not enacted, this section shall be  
15 null and void.

16          Section 250. Section 1 of this Act appropriates \$893.8 in General Funds for contractual services  
17 in Parks and Recreation (40-06-00). Of this amount \$14.4 shall be used for the leasing of an enforcement  
18 vehicle and Interpretive Program vehicle at Killens Pond State Park.

# SAFETY AND HOMELAND SECURITY

1  
2       Section 251. The Department of Safety and Homeland Security is hereby authorized to continue  
3 the agreement between State Police (45-06-00) and Sussex County Council to provide up to 24 additional  
4 patrol officers in Sussex County.

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

9       Section 252. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01).  
10 Included in this amount are funds for implementation of a Career Development Program. Any adjustment  
11 received under this program will be added to base compensation and will be included to determine  
12 retirement benefits.

13       Section 253. State Police receives funds resulting from drug and other seizure activities. If  
14 seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-  
15 06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these  
16 funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A  
17 quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the  
18 Budget Director and the Controller General.

19       Section 254. In addition to the positions authorized in Section 1 of this Act for State Police (45-  
20 06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training  
21 State Police recruits. During recruit training, up to 20 positions will be made available to accommodate  
22 the class being trained. Funding is authorized for initial use of these positions to accommodate an  
23 anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit  
24 positions accordingly.

1           Section 255. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the  
2 contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with  
3 private telecommunications companies to use space for communication facilities on telecommunications  
4 towers under their administration. The revenues paid to the State under these agreements shall be  
5 designated for use by State Police in support of mobile data computing telecommunications infrastructure  
6 cost, effective retroactively.

7           Section 256. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I  
8 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and  
9 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and  
10 Troop 6.

11           Section 257. Section 1 of this Act appropriates \$180.0 ASF Personnel Costs and 3.0 Traffic  
12 Light Enforcement ASF FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The  
13 source of funding shall be from revenues generated as a result of the Red Light Enforcement Safety  
14 Program within the Department of Transportation (55-00-00). Funding and the establishment of these  
15 positions are contingent upon the execution of a Memorandum of Understanding between the Department  
16 of Safety and Homeland Security and the Department of Transportation.

17           Section 258. Notwithstanding any other provisions of 29 Del. C. c. 69 to the contrary, the  
18 Delaware Emergency Management Agency (45-01-30) is authorized to utilize the United States  
19 Department of Defense, Defense Logistics Agency, Defense Supply Center Philadelphia,  
20 First/Emergency Responder Equipment Purchase Program or such other similar program for the  
21 procurement of material from the Authorized Equipment List of the U.S. Department of Homeland  
22 Security's State Homeland Security Grant Program or such other similar program with funds that may be  
23 provided by the U.S Department of Homeland Security, Office for Domestic Preparedness, to the extent  
24 that such purchase is authorized by federal laws and/or regulations.

# TRANSPORTATION

Section 259. 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 260. 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 261. Section 1 of this Act appropriates \$980.6 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 262. 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, \$37.5 shall be used for infrastructure research and forums through the  
22 University of Delaware, Institute for Public Administration. An additional \$37.5 shall be allocated for the  
23 purposes set forth in this Section to be funded from eligible Federal Funds. The activities funded by this  
24 appropriation shall be approved by the Secretary of the Department of Transportation.

25 (b) Of this amount, \$250.0 shall be used for the purposes of funding research programs of the  
26 Delaware Center for Transportation. Use of these program funds is subject to prior approval of the  
27 research approach and specific research projects of the Center by the existing Policy Committee for the



Center, which shall include representation from the Department of Transportation, the University of Delaware, the Chairperson of the House Transportation and Infrastructure Committee, and the Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit Committee.

Section 263. The Department of Technology and Information shall bill the Department of Transportation, Office of Information Technology (55-02-03) on an actual usage basis, excluding the costs associated with the ongoing operations within Motor Vehicles, Administration (55-11-10), Drivers Services (55-11-20), and Vehicle Services (55-11-30).

Section 264. Section 1 of this Act provides an appropriation to Maintenance and Operations (55-04-00). Of this appropriation, \$2,610.0 TFO shall be used to implement the National Pollutant Discharge Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget Director and the Controller General on the status of the implementation of NPDES and provide associated cost projections for the remainder of the fiscal year.

Section 265. Section 1 of this Act makes an appropriation in the amount of \$52,427.5 TFO to Maintenance and Operations, Maintenance Districts (55-04-70) and \$14,315.0 TFO to Maintenance and Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is authorized at \$1,334.6 TFO.

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

Line Item	Toll Operations		Maintenance	EZPass	Total All
	I-95	SR-1			
Personnel Costs	2,935.1	3,309.0	6,587.5		12,831.6
Travel	26.0	0.0	0.0		26.0
Contractual/Supplies	1,387.6	821.1	1,500.0	5,250.0	8,958.7
Energy	114.8	380.4	409.8		905.0
Capital Outlay	91.0	0.0	66.0		157.0
<b>TOTALS</b>	<b>4,554.5</b>	<b>4,510.5</b>	<b>8,563.3</b>	<b>5,250.0</b>	<b>22,878.3</b>
FTEs	65.0	74.0	148.0	0.0	287.0

Section 266. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70) for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.

1           Section 267. Section 1 of this Act makes various appropriations from the Transportation Trust  
2 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules  
3 notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the  
4 Department of Transportation’s (“Department”) efforts to develop and implement two pilot programs to  
5 provide employee incentives designed to acknowledge outstanding performance and to achieve a net  
6 reduction in costs to the department.

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

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

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

22           Shared savings proposals must be submitted to the Secretary of Transportation by October 1 of  
23 each year. Implementation of savings proposals shall commence on July 1 of the following year. Upon  
24 the conclusion of each fiscal year, the Oversight Committee shall assess the proposals with respect to  
25 their actual savings and shall distribute associated Shared Savings Awards by the following December 1<sup>st</sup>.

1           Section 268. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
2 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
3 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
4 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

5           Section 269. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
6 Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called  
7 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
8 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
9 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
10 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
11 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
12 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
13 department and the municipality to keep transit routes open during snow and storm emergencies. The  
14 transfer of funds from this account shall not require the approval of the Budget Director or the Controller  
15 General. The department shall provide quarterly reports each fiscal year to the Budget Director and the  
16 Controller General.

17           Section 270. In addition to the positions authorized in Section 1 of this Act for the Department of  
18 Transportation, Technology and Support Services, Office of Information Technology (55-02-03),  
19 additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of  
20 information technology support. As remaining positions for the purpose of information technology  
21 support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation  
22 Authority may be reallocated to continue the centralization of the information technology function within  
23 Technology and Support Services, Office of Information Technology (55-02-03). The Budget Director  
24 and Controller General may authorize this reallocation accordingly.

1           Section 271. During the fiscal year, the Department of Transportation shall be prohibited from  
2 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
3 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
4 installation of the access pipe.

5           Section 272. Notwithstanding any other provisions of the Delaware Code, the Department of  
6 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
7 identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be determined by  
8 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
9 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

10           Section 273. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
11 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.

12           Section 274. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
13 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
14 2004. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

15           Section 275. The Department is directed to submit any proposed reorganization or change in  
16 operations that affect delivery of services within Motor Vehicles to the Co-chairs of the Joint Finance  
17 Committee for approval before implementation.

# LABOR

1  
2       Section 276. (a) Section 1 of this Act provides an appropriation of \$345.2 to Employment and  
3 Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth  
4 Employment Program to operate a program commencing July 1, 2004. The budget will take into  
5 consideration the funds required to commence the program at the end of Fiscal Year 2005, on or about  
6 June 15, 2005. This sum is to be allocated in the following manner:

7	New Castle County (outside the City of Wilmington)	\$ 80.4
8	City of Wilmington	150.8
9	Kent County	57.0
10	Sussex County	<u>57.0</u>
11	TOTAL	\$345.2

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

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

21       Section 277. Section 1 of this Act provides an appropriation of \$355.0 in Contractual Services to  
22 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit  
23 professional apprenticeship and training program for young Delawareans ages 18-30. The training and  
24 apprenticeships shall include leadership skills, team building, problem solving and community issues.

# AGRICULTURE

1  
2       Section 278. 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 2005 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003  
6 Capital Improvement Act.

7       Section 279. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby  
8 authorized to develop and implement a state crop insurance program, not to exceed a funding level of  
9 \$600.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop  
10 insurance program is intended to encourage farmers to enroll in federal crop insurance programs and  
11 provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost  
12 share assistance at a rate not to exceed 20 percent of farmer paid premium with a maximum subsidy of  
13 \$2.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include  
14 guidelines to prorate available resources accordingly if applications exceed funding. The Department of  
15 Agriculture shall provide the Controller General and the Budget Director with a report by April 1, 2005  
16 detailing the commitments and expenditure of said funds. It is the expectation that when a significant  
17 number of agricultural landowners participate in crop insurance the necessity of this program will be re-  
18 evaluated.

19       Section 280. The Delaware Department of Agriculture may use up to \$100.0 annually from  
20 forest timber sales for the following programs:

21       (a) \$25.0 shall be used for marketing and promoting Delaware's agricultural and forestry  
22 products and commodities.

23       (b) \$75.0 shall be used for a forestry cost share program. The allocation of these funds, and the  
24 determination of qualifying projects, shall be determined by the State Forester, provided the funds are  
25 allocated to supplement federal Rural Forestry Assistance and Urban Forestry Assistance programs.

# ELECTIONS

1  
2        Section 281. 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 282. 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. On or before July 31, of each fiscal year,  
20 the Commissioner shall transfer an amount equal to 50 percent of prior year expenditures on school  
21 elections to the Department of Elections in New Castle County, Kent County, and Sussex County.

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

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

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

5 Section 283. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
6 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
7 statewide efforts to maintain the voter rolls in an orderly manner.

8 Section 284. For purposes of designating and procuring polling places for primary, general and  
9 special elections, the respective county department of elections shall pay a rental fee totaling \$0.25 for  
10 each facility used, no matter how many election districts are assigned to that facility.

11 Section 285. Any state agency, office or department is prohibited from publishing or funding the  
12 publication of voter guides.

13 Section 286. (a) Section 1 of this Act appropriates funding to the Office of the Budget,  
14 Contingencies and One-Time items (10-02-04) for the Department of Elections to utilize for costs  
15 associated with the upcoming general election in November 2004. The Department shall utilize federal  
16 funding that has been reimbursed to the state for costs associated with the upcoming general election. In  
17 addition, the Department shall utilize interest funds accumulated from the Federal Fiscal Relief Fund.  
18 Said funds shall be provided as follows:

	<b>FY 2005 One-Time</b>	<b>Federal Reimbursement Funds</b>	<b>Federal Fiscal Relief Fund Interest</b>
21 Commissioner	\$ 88.0	\$ 25.0	\$96.3
22 New Castle County	149.0	975.0	
23 Kent County	120.7	50.0	112.5
24 Sussex County	114.5	50.0	112.5
25 General Election Total	472.2	1,100.0	321.3



1           (b) Notwithstanding any other provisions of the Delaware Code or this Act to the contrary, the  
2 Commissioner of Elections and the Department of Elections for New Castle County, Kent County, and  
3 Sussex County are authorized to use prior year funds originally appropriated as School Elections, Mobile  
4 Registration, Voter Purging, One-Time, Reapportionment, and Technical Development, for costs  
5 associated with the upcoming general election in November 2004.

# FIRE PREVENTION

1

2

Section 287. 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 Volunteer Firemen's Association and are to be used for the

5

purpose of operating a statewide Fire Safety Education Program.

6

Section 288. 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 289. 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 290. 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 291. 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 292. (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	\$2,619.2
Scholarships	1,994.7
Minority Student Recruitment	1,484.7
Aid to Needy Students	1,653.4
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$ 8,203.5

Agricultural Programs:

Agricultural Experimental Station	\$ 624.4
Agricultural Cooperative Extension	928.7
Agricultural Research and Education Center	516.9
Poultry Disease Research	561.9
Crop Extension	286.4
Agricultural Environmental Quality	190.2
Soil Testing and Pesticide Program	283.3

1	Diagnostic Poultry Program	\$ 144.6
2	Total	\$3,536.4
3	<u>Other Programs:</u>	
4	Sea Grant	\$ 521.8
5	Urban Agent Program	126.5
6	Public Service and Applied Research Projects	422.5
7	Minority Recruitment	273.5
8	Local Government Research and Assistance	223.4
9	Graduate Education (Southern Delaware)	34.8
10	Library Automation	52.0
11	MALS/BALS - Southern Delaware	66.0
12	Nurse Practitioner	251.8
13	Science, Engineering and Technology Service Program	146.8
14	Molecular Biology/Biotechnology Program	467.8
15	Math/Science Education for DE Teachers	580.9
16	Advanced Materials	190.1
17	Center for Community Development and Family Policy	245.2
18	Training and Research (Educational Management)	110.2
19	Computer Aided Math Instruction	80.0
20	Advanced Electronics and Materials Initiative	555.5
21	Field Hockey Coach	34.0
22	Delaware Center for Teacher Education	327.5
23	Research on School Finance Issues	84.8
24	Delaware Education Research and Development Center	221.7
25	Delaware Research Scholars Program	150.0
26	Milford Professional Development School	110.7
27	Information Technology Partnership	2,387.6

1	ITV Technician	\$ 56.8
2	Core Content Teacher Education	298.1
3	Biotechnology	490.2
4	Computer Aided Instruction, Arts & Science	100.0
5	Clinical Instruction in Teacher Education	223.4
6	Early Childhood Education	106.8
7	Civics Education for Teachers	100.0
8	Biotechnology Institute	243.3
9	Software License Support	125.0
10	Assistant Women's Coaches	43.1
11	Study Abroad for Delaware Residents	50.0
12	Associate in Arts Degree	51.5
13	Early Learning Center	<u>200.0</u>
14	Total	\$9,753.3

15 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2005 budget is  
16 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year  
17 2005 utilizing University funds for those programs identified for reduction in State funds during Fiscal  
18 Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these  
19 programs nor discontinue any of the impacted programs.

20 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of  
21 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently  
22 enrolled eligible recipients prior to Fiscal Year 2005, until said completion. The remaining \$100.0 shall  
23 be used for new students in Fiscal Year 2005. Students that are pursuing educational or nursing degrees  
24 shall have priority in receiving a merit scholarship under this Program.

25 Section 293. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
26 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
27 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents

1 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
2 Extension Program.

3 Section 294. Section 1 of this Act provides an appropriation to the University of Delaware for the  
4 Milford Professional Development School. The University and the Milford School District shall submit  
5 to the Controller General and the Budget Director, by March 1, 2005, a joint report detailing the  
6 implementation status of this program as it relates to the appropriation herein.

7 Section 295. Section 1 of this Act makes an appropriation to Delaware State University,  
8 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
9 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
10 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
11 \$100.0 shall be for scholarships for female athletes.

12 Section 296. For the fiscal year covered by this Act, in order to continue the assessment of  
13 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
14 as a result of processing accounting transaction data into two independent accounting systems, the Budget  
15 Director has authorized Delaware State University to:

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

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

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

25 This authorization does not provide for any change to the processing of encumbrances and vendor  
26 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not

1 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
2 and payment activity.

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

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

12 Section 297. Section 1 of this Act provides an appropriation to Delaware Technical and  
13 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and  
14 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
15 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
16 institutions under a contract initiated by Delaware Technical and Community College. Under this  
17 contract, the University of Delaware will teach students at Delaware Technical and Community  
18 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community  
19 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
20 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
21 the relevant service and after the institutions have reached an agreement for tuition sharing.  
22 Representatives from both institutions will meet at least once each semester to review program  
23 operations.

24 Section 298. Amend 14 Del. C. § 9105(b), by adding the words “or associate degree program”  
25 following the words “parallel program” each time the same appears therein.



1           Section 299. Amend 14 Del. C. §9219(f), by deleting subparagraph (7) in its entirety, and by  
2 substituting in lieu thereof a new subparagraph (7) as follows:

3           “(7) The College may compensate Plan B employees for additional degrees earned. This  
4 compensation shall be in the form of a one-time bonus not added to the employee’s base rate, and  
5 not paid out of state funds. The College may also provide such additional compensation to Plan  
6 B employees as authorized by the Board of Trustees. This compensation shall not be added to the  
7 employee’s base rate, and shall not be paid out of state funds. This supplement and any one-time  
8 bonus shall not be considered within the pension definitions stated in 29 Del. C. § 5501 (c),  
9 §5501 (d), §5501 (e), §5600 (3), and 11 Del. C. §8351 (2).”

10          Section 300. Section 1 of this Act contains an appropriation of \$233.7 for the Delaware Institute  
11 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
12 relating to the DIVME Program, these funds shall be used to provide tuition support for five Delaware  
13 residents studying at the veterinary medicine program at the University of Georgia, four Delaware  
14 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional  
15 students accepted to a veterinary medicine program for the coming year.

# EDUCATION

1  
2        Section 301. The provisions of this Act and the Delaware Code notwithstanding, the Department  
3 of Education, Budget Office and Controller General's Office are authorized to simplify the complexity of  
4 state share accounting by consolidating school district appropriations in the Delaware Financial  
5 Management System. Such consolidation may include state funding appropriated and allocated to school  
6 districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading Cadre, Teacher to  
7 Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations  
8 authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and  
9 provision of expenditure stipulated in 14 Del. C. and in this Act.

10        Section 302. (a) For this fiscal year, employees who have been issued an emergency certificate  
11 for a third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary  
12 reduction. Employees currently on an emergency certificate as a result of being assigned to an area  
13 outside the area of certification shall not receive a ten percent salary reduction.

14        (b) Section 1 of this Act makes an appropriation of \$3,050.0 to Public Education, School District  
15 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This  
16 appropriation provides funding for the supplements associated with professional development clusters,  
17 mentor stipends and National Board Certifications. Any new programs, initiatives and/or clusters for  
18 supplemental pay must be approved by the Professional Standards Board, State Board and Department of  
19 Education. The implementation and effective dates for any new programs, initiatives or clusters for  
20 supplemental pay must first be established and approved by the Budget Director and Controller General,  
21 and is subject to available appropriation.

22        (c) Recognizing the effort involved in pursuing a National Board for Professional Teaching  
23 Standards (NBPTS) certification by individuals paid under 14 Del. C. §1305, excluding  
24 superintendents, assistant superintendents, directors, and individuals employed in non-instructional  
25 areas detailed in Section 1312(c), and employees at the Department of Education, such certification  
26 shall result in a salary supplement as specified in 14 Del. C. §1305 (m). The salary supplement shall be

1 based upon the 10-month base state salary scale for teachers. The Department of Education shall report  
2 annually to the Budget Director and Controller General the number of NBPTS certificates obtained  
3 under this program. The NBPTS salary supplement shall be valid for a period not to exceed ten years.

4 Section 303. Notwithstanding the provisions of 14 Del. C. §1305(m), (o) and (p), in Fiscal Years  
5 2004 and 2005, salary supplements for employees who have achieved certification from the National  
6 Board for Professional Teaching Standards and who serve as teacher mentors shall continue to receive the  
7 full mentor stipend payments for such service. The Department of Education shall submit  
8 recommendations regarding said issue to the Budget Director and Controller General no later than  
9 November 30, 2004.

10 Section 304. Amend 14 Del. C. §1305(m) by inserting after the first sentence a new sentence to  
11 read as follows:

12 “An employee who has received the Certificate of Clinical Competence – the national  
13 certification for speech pathologists and audiologists - shall receive a salary supplement equal to 6% of  
14 the base salary so derived.”

15 Section 305. Pursuant to 14 Del. C. §1305 (q)(1), a course of study may include undergraduate  
16 courses if the courses are in a specific content area and such courses do not include pedagogy.

17 Section 306. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to  
18 the State Board of Education and State Board for Vocational Education and Department of Education (95-  
19 01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts  
20 outside of the State accounting system and the Fund shall be interest bearing.

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

24 Section 307. For Fiscal Year 2005, the Department of Education is authorized to employ no more  
25 than one (1.0) casual/seasonal position to be funded from appropriated special funds of the Delaware  
26 Interscholastic Athletic Fund, with an annual compensation not to exceed \$40.0. For any position so  
27 employed, the Department must submit to the Budget Director and Controller General a position

1 description no later than August 1, 2004. In addition, the Department must submit quarterly salary  
2 expenditure reports for such position with the first report due October 1, 2004.

3 Section 308. (a) Amend 14 Del. C. §1305 (h) by deleting the number “2005” as it appears therein  
4 and substituting in lieu thereof the number “2006”.

5 (b) Amend 14 Del. C. §1318A (b) (10) by deleting the number “2004” as it appears therein and  
6 substituting in lieu thereof the number “2005” and by deleting the phrase “June 1” as it appears therein  
7 and substituting in lieu thereof the phrase “July 1”.

8 (c) Amend 14 Del. C. §1318 (g) by deleting the number “2004” as it appears therein and  
9 substituting in lieu thereof the number “2005”.

10 (d) Amend 14 Del. C. §1320 by deleting the number “2004” as it appears therein and substituting  
11 in lieu thereof the number “2005”, and by deleting the phrase “June 1” as it appears therein and  
12 substituting in lieu thereof the phrase “July 1.”

13 (e) Amend 14 Del. C. §1703 (j) by deleting the number “2005” as it appears therein and  
14 substituting in lieu thereof the number “2006”.

15 Section 309. Amend 14 Del. C. §1318 (b) by deleting the second sentence and substituting in lieu  
16 thereof “Members of the immediate family shall be defined as the employee’s spouse or domestic partner;  
17 parent, stepparent or child of the employee, spouse or domestic partner; employee’s grandparent or  
18 grandchild; employee’s sibling; spouse of employee’s child; any relative who resides in the same  
19 household; or any minor child for whom the employee has assumed and carried out parental  
20 responsibilities.”

21 Section 310. For this fiscal year, the inflation factor for the local per pupil payments required  
22 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per  
23 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),  
24 shall be equal to three percent.

25 Section 311. Any course offered at a vocational technical high school may be offered in the  
26 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
27 Secretary of Education.

1           Section 312. Section 1 of this Act makes an appropriation to Public Education, State Board of  
2 Education and State Board for Vocational Education and Department of Education, State Board of  
3 Education and Department of Education (95-01-01) for Educator Certification and Development  
4 activities. This appropriation to the Department of Education is intended to offset expenditures in the  
5 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;  
6 revision and update of teacher and administrator evaluation procedures (DPASII); diversity and educator  
7 recruitment; professional recertification and expanding the Alternative Routes to Teacher Certification  
8 program.

9           Section 313. Section 1 of this Act provides an appropriation of \$329.5 to Public Education, State  
10 Board of Education and State Board for Vocational Education and Department of Education, State Board  
11 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the  
12 Standards and Assessment program agenda is to support the development and implementation of  
13 performance indicators.

14           Section 314. Section 1 of this Act makes an appropriation of \$42.0 to Public Education, State  
15 Board of Education and State Board for Vocational Education and Department of Education, State Board  
16 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall  
17 be made available to school students to assist in defraying out-of-state travel expenses associated with this  
18 program.

19           Section 315. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State  
20 Board of Education and State Board for Vocational Education and Department of Education, State Board  
21 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0  
22 shall be used by the Department of Education to review and award grants competitively to schools with  
23 grades kindergarten through eighth. Programs selected shall provide at-risk children with academic  
24 tutoring and instruction, with the involvement of parents and volunteer mentors. School districts shall  
25 make direct application to the Department on behalf of individual school buildings, addressing in their  
26 proposal the following: (a) one-on-one tutoring for academically at-risk students; (b) early childhood  
27 preventive intervention strategies; (c) adherence to academic standards as adopted by the State Board of

1 Education; (d) parental involvement; and (e) provision of program evaluation and performance  
2 evaluation. Local schools are encouraged to utilize such programs for students during non-core academic  
3 class time. Grant awards for individual schools, of no more than \$30,000 each, shall be determined by the  
4 Department no later than November 30 of each year and funds shall be allocated by December 31 of each  
5 year. The remaining \$150.0 may go to the University of Delaware for the Delaware Mentoring Council  
6 to provide technical assistance and professional development for mentors and other activities.

7 Section 316. Section 1 of this Act appropriates \$600.0 to Public Education, State Board of  
8 Education and State Board for Vocational Education and Department of Education, State Board of  
9 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be  
10 used to support the development and implementation of automated systems to manage such activities as  
11 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills  
12 and knowledge supplements; development of on-line standards-based units of instruction; and the  
13 accountability reporting system.

14 Section 317. Section 1 of this Act appropriates \$1,220.0 to Public Education, State Board of  
15 Education and State Board for Vocational Education and Department of Education, State Board of  
16 Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be  
17 used to support the design and implementation of DPAS II; teacher recruitment and retention programs;  
18 and modification of the licensure and certification system. Prior to expending any of these funds, an  
19 approved budget must be submitted by the Secretary of Education, after consultation with the  
20 Professional Standards Board, and approved by the Budget Director and Controller General.

21 Section 318. The Department of Education shall transfer \$100.0 to the Department of Safety and  
22 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background  
23 checks for all school district employees on a first come, first served basis. State Police shall send  
24 quarterly reports to the Department of Education regarding expenditures of said funds.

25 Section 319. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
26 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
27 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership

1 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
2 challenging content and performance standards, have aligned assessments to those standards, have  
3 established a system of school and district accountability, and allow waiver of State statutory and  
4 regulatory requirements relating to education.

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

13 Section 320. During Fiscal Year 2005, the Department of Education may be authorized to  
14 continue a pilot funding structure within Brandywine and Seaford School Districts, to provide resources  
15 to students with disabilities in the most flexible and equitable manner possible, upon approval of the  
16 Budget Director and Controller General. Any changes to the existing structure must be approved by the  
17 Budget Director and the Controller General. The Department of Education must demonstrate the benefits  
18 and cost effectiveness of this program, in a report to the Budget Director and Controller General by  
19 July 6, 2004.

20 Section 321. The Delaware Code notwithstanding, during this fiscal year, the Budget Director is  
21 authorized to continue funding for issues such as, but not limited to, the number of administrative  
22 positions and activity busing for which the State was required to provide funding as a result of a 1978  
23 federal court order. This authorization, as it relates to administrative positions, shall apply only to  
24 positions filled for employment, and shall not be considered as authorization to fund any cash options  
25 pursuant to 14 Del. C. § 13.

26 Section 322. Amend 14 Del. C. §1307 (3) by deleting the fraction "½" as it appears therein and  
27 inserting in lieu thereof the percentage "55%".

1           Section 323. 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 the 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 324. 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 325. 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 \$231.0 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 326. 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:

1	1. Caesar Rodney - Americanization	\$ 14.1
2	2. Red Clay - Americanization	113.6
3	3. Margaret S. Sterck -	
4	Residence - Other Costs	85.4
5	Consultant Services	11.0
6	Preschool Summer Program	6.9
7	4. Christina Autistic -	
8	Residence - Other Costs	206.5
9	Contractual Services	11.4
10	5. John G. Leach	50.0
11	6. Sussex Orthopedic School	<u>12.9</u>
12	Total	\$511.8

13       Section 327. (a) Section 1 of this Act makes an appropriation to Public Education, School  
14 District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,  
15 \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as  
16 academic review, academic watch or academic progress. The remaining \$100.0 shall be allocated for  
17 recognition of schools and districts that receive the superior designation. Such recognition shall include  
18 special ceremonies and/or the award of plaques or flags.

19       (b) Amend 14 Del. C. §155(c) by deleting the remainder of the paragraph after the words  
20 “plaques or flags” in its entirety.

21       Section 328. Section 1 of this Act makes appropriations to Public Education, School District  
22 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II -  
23 Energy Unit shall be valued at \$1,716.00. A Division II - All Other Costs Unit shall be valued at  
24 \$3,247.00.

25       Section 329. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
26 Fiscal Year 2005, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
27 allocated as follows:

1	District	Increase Support	Offset Local	
2	Allocation	for Education	Current Expense Taxes	Total
3	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
4	Appoquinimink ILC	18,468	0	18,468
5	Brandywine	0	2,158,200	2,158,200
6	Bush	16,350	0	16,350
7	AI Institute	6,298	0	6,298
8	Brandywine ILC	75,210	0	75,210
9	Christina	0	3,691,830	3,691,830
10	Autistic Program	135,407	0	135,407
11	REACH	53,533	0	53,533
12	Sterck	85,023	0	85,023
13	Christina ILC	170,040	0	170,040
14	Colonial	0	2,001,240	2,001,240
15	Leach	75,576	0	75,576
16	Colonial ILC	42,510	0	42,510
17	Red Clay	0	2,897,220	2,897,220
18	Meadowood	75,576	0	75,576
19	Red Clay ILC	122,811	0	122,811
20	Caesar Rodney	0	567,840	567,840
21	Caesar Rodney ILC	9,204	0	9,204
22	Charlton	47,554	0	47,554
23	Capital	0	728,495	728,495
24	Capital ILC	4,820	0	4,820
25	Kent Orthopedic	16,874	0	16,874
26	Lake Forest	0	412,230	412,230
27	Milford	0	584,661	584,661
28	Milford ILC	5,062	0	5,062
29	Smyrna	0	520,000	520,000
30	Smyrna ILC	5,000	0	5,000
31	Cape Henlopen	0	24,174	24,174
32	Delmar	0	125,000	125,000
33	Delmar ILC	1,303	0	1,303
34	Indian River	0	592,680	592,680
35	Laurel	55,942	302,372	358,314
36	Laurel ILC	5,874	0	5,874
37	Seaford	0	263,895	263,895
38	Seaford ILC	6,025	0	6,025
39	Woodbridge	0	125,000	125,000
40	New Castle Vo-Tech	0	834,485	834,485
41	New Castle Vo-Tech ILC	25,192	0	25,192
42	Polytech	0	125,000	125,000
43	Polytech ILC	12,272	0	12,272
44	Sussex Technical	0	0	0
45	Total	\$1,071,924	\$16,477,582	\$17,549,506

46           Section 330. Section 1 of this Act provides an appropriation to School District Operations,  
47 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit

1 of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from  
2 the district's entitlement in Fiscal Year 2005.

3 Section 331. The appropriation made in Section 1 of this Act to Department of Education, School  
4 District Operations, Division II – All Other Costs reflects a base reduction of \$7,000.0 enacted in the  
5 Fiscal Year 2004 Annual Appropriations Act. Districts shall be permitted to submit one transfer of funds  
6 document per district, per fiscal year to reallocate funds within current year state appropriations no later  
7 than December 31 of the current fiscal year. The reduction amount per district will be calculated and  
8 distributed by the Department of Education no later than October 31 of the current fiscal year, and shall  
9 be based upon the September 30 unit count of the current school year. The following parameters must be  
10 followed when requesting the transfer of funds:

11 (a) Districts may reallocate Division I savings from unfilled units, up to a maximum of 25  
12 percent of their individual reduction amount or one unfilled unit, whichever is greater. The amount to be  
13 utilized as a credit per position will be as follows: Superintendent \$92,809, Assistant Superintendent  
14 \$78,805, Administrative Assistant \$50,757, Director \$75,667, Supervisor \$66,770, Principal \$72,813,  
15 Assistant Principal \$66,208, Teacher \$46,663, Secretary \$36,273, Custodian \$30,627.

16 (b) Funds associated with the cash options authorized in 14 Del. C. § 1321(e)(11) for  
17 administrative positions and 14 Del. C. § 1716(g) for academic excellence units are acceptable.

18 (c) No program allocation may be reduced by more than 30 percent with the exception of  
19 Division II - Energy, Division II - All Other Costs, Division III – Equalization, Guaranteed Unit Count  
20 and Tax Relief and Education Expense Fund. Program totals are to be based on state funds only.

21 (d) Division II - All Other Costs for Vocational Programs is subject to a 25 percent limitation,  
22 including indirect costs. Notwithstanding the provisions of 14 Del. C. § 1706, the remaining 75 percent  
23 of Division II - All Other Costs for Vocational Programs shall be allocated to each school that generates  
24 these funds and expended to support the State-approved occupational-vocational courses and programs at  
25 that school.

1 (e) Reallocations may not be made from programs covered in Section 336 (a) (10) and  
2 Section 358 of this Act; statewide or countywide programs; or competitively awarded programs such as,  
3 but not limited to, the following: Americanization, Adult Education and Student Mentoring.

4 Section 332. Amend 14 Del. C. §1331(d) by deleting said subsection in its entirety and inserting  
5 in lieu thereof a new subsection (d) to read as follows:

6 (d) In addition to staff otherwise authorized, the Sterck School for the Hearing Impaired may  
7 employ the following:

- 8 1. Director
- 9 2. Statewide Coordinator
- 10 3. Dean of Students (Assistant Principal Rank)
- 11 4. Elementary/Secondary School Leader (Assistant Principal Rank)
- 12 5. Educational Audiologist
- 13 6. Speech Therapist (in addition to those employed pursuant to subsection (a)(1) of this  
14 section).
- 15 7. Residential Advisors not to exceed 6
- 16 8. Residential Monitoring Aides not to exceed 4

17 These shall be considered state unit positions and paid according to this title, with appropriate  
18 local supplement.

19 Section 333. Amend 14 Del. C. §1707(b)(3) by deleting said section and substituting in lieu  
20 thereof the following:

21 “ ‘Authorized amount’ means \$28,475 for Fiscal Year 2005 and as established in the annual State  
22 Budget Appropriation Act thereof.”

23 Section 334. Amend 14 Del. C. §1707(c) by deleting the phrase “In Fiscal Year 2004” as it  
24 appears in the last sentence and substituting in lieu thereof the phrase “In Fiscal Years 2004 and 2005”.

25 Section 335. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
26 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This  
27 appropriation shall be allocated by the Department of Education to the following programs/districts:

1 Adult Trade Extension/Apprentice Program (statewide), James H. Groves High School (statewide), Adult  
2 Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware  
3 Skills Center (New Castle County Vocational Technical School District), Alternative Secondary  
4 Education Program (statewide), Communities in Schools of Delaware, Marine Mechanics Apprentice  
5 Program (Sussex Technical School District) and Interagency Council on Adult Literacy. For each  
6 program continued in Fiscal Year 2005, each program shall receive no less than the same allocation from  
7 this appropriation as its Fiscal Year 2004 allocation, except the allocation for the Delaware Skills Center  
8 shall be increased by \$75.0.

9 Section 336. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
10 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

11 (a) The following allocations shall be provided:

12 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to  
13 Certification program, to include an expansion for Special Education. The remaining  
14 \$75.0 may be used for the Summer Institute program.

15 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional  
16 and curriculum development activities. Districts shall submit applications to the  
17 Department of Education detailing the district's plan for the utilization of these funds.  
18 The Department of Education shall review and approve plans and allocate an amount not  
19 to exceed \$331.00 per certified employee, based on a district's personnel complement for  
20 the 2003-2004 school year. Grants are to be used for developing and implementing  
21 curriculum based on the content standards established by the Curriculum Frameworks  
22 Commission, as approved by the State Board of Education or for other professional  
23 development activities, including, but not limited to: Discipline, Special  
24 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
25 Decision Making, local school board member training, and Educational Technology.  
26 Districts are encouraged to collaborate as a means of maximizing resources as well as  
27 focusing district activities on consistent principles. Grants may be utilized for training,

1 planning, in-service programs and contractual services. The Department of Education is  
2 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
3 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
4 approval of the district application for funding.

5 In the application, districts shall detail the proposed utilization of funds as well as  
6 the incorporation of the following criteria:

7 (a) Integration of the proposal with existing resources and programs such as the  
8 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,  
9 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education  
10 and local funds dedicated to Standards and Assessment.

11 (b) Inclusion of local staff in planning of the grant proposal, with representation  
12 from all involved in student learning, including all professional employees by  
13 category. The plan(s) should focus on overall improved student performance,  
14 with a built in level of accountability to determine effectiveness.

15 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
16 determine, in coordination with the agency (or agencies) operating this program, the goals  
17 and objectives of this program, including how it will further the objectives of Standards  
18 and Assessment and integrate Shared Decision Making training into the program focus.  
19 The Controller General and the Budget Director shall ensure that the proposed program is  
20 cost efficient and meets the objectives outlined in this section before agreeing to transfer  
21 the appropriation from the Department of Education to the operating agency. All  
22 expenditures from this allocation shall serve principals from the State of Delaware only.

23 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
24 teachers to assist new teachers through leadership and guidance, and includes a training  
25 component in order for teachers to become better mentors. This funding level allows for  
26 a statewide program.

1 (5) \$1,100.0 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 undergraduate and graduate college courses,  
6 including Early Childhood Education courses, or courses in an Education Technology  
7 Certificate Program. Funds may only be used to reimburse certificated non-  
8 administrative employees and paraprofessionals. A minimum of 20 percent of these  
9 funds shall be used for reimbursement to paraprofessionals. If at the end of the fiscal  
10 year districts are unable to spend this minimum requirement on paraprofessionals, the  
11 remaining funds may be used towards certificated non-administrative employees. No  
12 payment shall be made unless the course taken relates to the employee's job assignment  
13 and is taken with the prior approval of the employing district board, superintendent or  
14 state agency. Local school district boards of education are required to prioritize the  
15 allocation of the funds they receive to support the educational advancement efforts of  
16 regular education teachers taking special education and/or mainstreaming related courses  
17 and other educational priorities established by the local boards of education based on  
18 staff development goals or to ameliorate identified deficiencies. This allocation may be  
19 used by local school districts to defray the costs for teachers seeking application for  
20 National Board Certification from the National Board for Professional Teaching  
21 Standards, and to defray the cost of the Para Pro-assessment for paraprofessionals.

22 Reimbursement for tuition may be made for courses taken during summer  
23 school or during the academic year for which a passing grade of B or better is obtained.  
24 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a  
25 course with an equal number of credit hours at the University of Delaware. Of the total  
26 allocation made by Department of Education, a minimum of .75 percent shall be  
27 allocated to state agencies and the balance shall be allocated to school districts in



1 amounts equal to each school district's proportion of Division I units to the total number  
2 of Division I units statewide on September 30, 2004. Any funds not expended by a  
3 school district or a state agency shall be transferred to other districts or agencies. In the  
4 event that any district's allocation is not sufficient to provide total reimbursement to all  
5 eligible employees, the district shall pro-rate the funds so that each eligible employee  
6 receives a share of the total district allocation equal to the individual employee's  
7 reimbursable expenditure divided by the total reimbursable expenditure of all employees  
8 in the district multiplied by the district allocation. Funding for each school district shall  
9 be divided into two equal parts. The first one-half shall be prorated as described above  
10 among eligible employees who complete their courses prior to February 1, 2005. The  
11 second one-half shall be prorated as described above among eligible employees who  
12 complete their courses prior to June 15, 2005. In the event that funds remain in either  
13 half year, the district shall be authorized to reallocate those funds to reimburse eligible  
14 employees in the other portion of the year who did not receive full reimbursement. This  
15 section shall supersede collective bargaining agreements to the contrary.

16 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of  
17 release time of exemplary teachers in the content areas in which the State Board of  
18 Education has adopted content standards, who will provide assistance to districts on a  
19 statewide basis in designing, demonstrating and implementing best teaching practices in  
20 the development of curriculum to meet the established standards. The Department of  
21 Education is authorized to transfer 50 percent of the estimated district grant amount by  
22 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days  
23 of the final approval of the district application for funding.

24 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3  
25 will be allocated to the University of Delaware and \$169.1 to Delaware State  
26 University to fund summer programs for the professional development of teachers. It is  
27 intended that curriculum of the summer classes offered through this program, to

1 teachers and aides, be consistent with the curriculum standards which are currently  
2 under development or have previously been adopted by the State Board of Education.  
3 Both the University of Delaware and Delaware State University shall incorporate into  
4 their Summer School for Teachers course structure, the appropriate and necessary  
5 elements that will enable participants to develop relevant classroom curriculum as well  
6 as to gain additional exposure to best teaching practices in the standardized content  
7 areas. The Department of Education shall continue to make staff available to assist each  
8 institution in the preparation of the summer coursework. Future budget requests for  
9 this program will be made by the Department of Education in their annual budget  
10 request, following consultation with the University of Delaware and Delaware State  
11 University.

12 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and  
13 curriculum development activities in the content areas of reading and social studies.  
14 The Department of Education shall determine, in coordination with the agency (or  
15 agencies) performing such activities, the training goals and objectives, including how  
16 the objectives of Standards and Assessment will be furthered. The Department of  
17 Education, Controller General and Budget Director shall ensure that the proposed  
18 development activities are cost efficient and meet the objectives outlined in this section  
19 before agreeing to transfer the appropriation from the Department of Education to the  
20 operating agency.

21 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of  
22 Education shall determine, in coordination with the agency (or agencies) operating this  
23 program, the goals and objectives of this program, including how it will further the  
24 objectives of Standards and Assessment. The Department of Education, Controller  
25 General and Budget Director shall ensure that the proposed program is cost efficient  
26 and meets the objectives outlined in this section before agreeing to transfer the  
27 appropriation from the Department of Education to the operating agency.

1 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,  
2 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
3 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the  
4 creation of a Reading to Reading Cadre which will provide assistance to districts in  
5 designing, demonstrating and implementing best practices in reading instruction. Such  
6 position shall be responsible for curriculum alignment and professional development in  
7 reading for district educators.

8 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by  
9 the Department of Education for administrative costs during the coordination of  
10 teachers seeking national certification from the National Board for Professional  
11 Teaching Standards (NBPTS).

12 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of  
13 Education to implement a program for a career pathway for school district  
14 paraprofessionals at Delaware Technical and Community College.

15 (13) \$25.0 for Models of Excellence. These funds shall be used to identify the  
16 achievements of Delaware schools, to learn from program success in improving student  
17 achievement and to recognize and share best practices among districts.

18 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
19 Department of Education for professional accountability and instructional advancement activities.

20 Section 337. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
21 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
22 \$27,029.2 shall be used to fund units for academic excellence in the school districts in accordance with 14  
23 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
24 of Division I Units each district enrolls on the last school day in September. School districts may use the  
25 funds to: purchase computer hardware, software or services; calculators; library resources; fund  
26 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district  
27 is entitled to less than one nurse per school; provide a student work-study program; provide conflict

1 resolution training; provide extended day or extended year programs for students performing below the  
2 standard level; and provide stipends for professionals engaged in curriculum or professional development  
3 activities sponsored by a local school district or the Department of Education, outside of the regular  
4 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
5 services. No homebound funds may be spent to provide services to students who have been suspended or  
6 expelled from school, except for special education students. The Department of Education shall provide  
7 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director  
8 and Controller General no later than December 1 of each year.

9 Section 338. For the fiscal year beginning July 1, 2004, any local school district that has had two  
10 consecutive failed current expense tax referendums during the time period July 1, 2002 to January 1,  
11 2005, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
12 units provided under that program. This provision will apply for Fiscal Year 2005 only. In addition,  
13 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
14 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
15 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

16 Section 339. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block  
17 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It  
18 is the intent that this money be used to provide summer programs including an eighth grade program in  
19 environmental heritage.

20 Section 340. Section 1 of this Act provides an appropriation of \$250.0 to Public Education,  
21 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD  
22 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the  
23 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them  
24 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs  
25 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

26 Section 341. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block  
27 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The

1 Department of Education shall transfer this appropriation to the University of Delaware to help fund a  
2 summer school program, for college credit, for gifted and talented students.

3 Section 342. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,  
4 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute  
5 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap  
6 program. The Department of Education shall transfer this appropriation to the University of Delaware,  
7 which acts as the fiscal agent for this statewide program.

8 Section 343. Section 1 of this Act provides an appropriation of \$195.2 to Public Education  
9 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for  
10 Economic Education. Of this amount, \$29.1 is appropriated to support a professional development  
11 model for systematically training teachers in content and pedagogy and provide them with ongoing  
12 support in the classroom.

13 Section 344. In order that the children for whom the learning disability and socially or  
14 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such  
15 children, the Department of Education shall require strict adherence to approved guidelines before release  
16 of any funds designated for such children. The Department of Education shall particularly ascertain that  
17 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are  
18 developed to determine eligibility of socially or emotionally maladjusted children so that this category  
19 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious  
20 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally  
21 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made  
22 at least every three years. The Department of Education will report annually to the Budget Director and  
23 the Controller General on or before April 1 on the actions and results of actions required by this section.

24 Section 345. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
25 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services  
26 Cost Recovery Project (CSCRCP). All local school districts shall fully participate in the implementation

1 and operation of the project for the fiscal year ending June 30. Local school district participation shall  
2 be on a district-wide basis.

3 The following resources are appropriated to operate the Children's Services Cost Recovery  
4 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
5 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
6 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
7 implementing the Children's Services Cost Recovery Project.

8 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be  
9 located at the Department of Education. The Department of Education is hereby permitted to authorize  
10 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this  
11 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial  
12 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
13 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
14 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
15 § 1309, including the local salary supplement in place at the employing local school district.

16 All revenue generated through the cost recovery project from local school district sources will,  
17 after the deduction of all operational project costs, be divided between the State General Fund and the  
18 local school district's operating funds in a proportion that equals the original sharing of expenses. Any  
19 funds returned to a local school district that were generated through recovery on non-transportation  
20 services provided by a tuition-based special school must be made available to the special school for  
21 expenditure at the special school.

22 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future  
23 recoveries on a similar basis as indicated above.

24 Section 346. For the purpose of participating in the Children's Services Cost Recovery Project,  
25 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
26 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §  
27 1092, shall be considered in compliance with qualification standards equivalent to state licensure to

1 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
2 limited to the delivery of services related to State Board of Education or local school district approved  
3 school programs conducted within the course of the regular school day at a State Board of Education or  
4 local school district approved school site or least restrictive environment location. The provisions of  
5 this section shall in no way be construed as entitling a person not otherwise qualified to do so to  
6 represent himself to the public by any title or description of services incorporating the words  
7 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
8 as may be herein specifically provided.

9 Section 347. The Interagency Resource Management Committee (IRMC) fosters an interagency  
10 approach in coordinating the delivery of early care and education services in Delaware, and the  
11 establishment and operation of the Office of Early Childhood.

12 The IRMC will coordinate the implementation of the recommendations of the October 1999  
13 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
14 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
15 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
16 year. Each report shall include:

- 17 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 18 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

19 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
20 section.

21 The Budget Director and the Controller General are hereby authorized to transfer funds among  
22 the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the  
23 department, as the case may be, to which the funds were previously allocated. Such transfers shall be  
24 intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early  
25 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant  
26 director and a clerical support position. Funding shall be provided by the Department of Health and

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 348. 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 \$300.0 in total from Pupil  
17 Transportation (95-04-01) for transportation expenses.

18 (b) A total of \$7,619.8 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 Each school shall receive no less than the amount received in the fiscal year ending June 30. In  
2 order to provide districts with grants in a timely manner, all applications for base grants must be  
3 submitted for review by the Department of Education no later than November 15 of each year.

4 (c) For the purpose of facilitating the continuation of services, districts receiving an allocation  
5 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's  
6 base grant allocation at the outset of each fiscal year. These districts are required to present program  
7 proposals to the Department of Education no later than November 15 each year. Upon Department of  
8 Education approval, adjustments to program allocations will be made.

9 (d) The Department of Education shall determine common data definitions and data collection  
10 methodologies for each program in this section. Districts shall use such definitions and methodologies  
11 and shall provide information as requested by the Department of Education. This information shall  
12 include but not be limited to the following: the number of students served, reasons for service, measures  
13 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
14 programs, and number and types of referrals for additional services. The Department of Education shall  
15 prepare a statewide management report to identify needs for program improvement and best practice.

16 (e) A total of \$3,477.8 is authorized for prevention components administered by the Department  
17 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be  
18 provided as follows:

19 (i) \$3,477.8 to provide early intervention services through the Department of Services for  
20 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
21 intended for grades K-3 and shall address but not be limited to, problems such as Early  
22 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
23 Families may enter into contractual agreements, may employ casual/seasonal personnel, or  
24 may create the necessary positions with the approval of the Delaware State Clearinghouse  
25 Committee and maintain an ASF or NSF account with sufficient spending authority to  
26 operate the program.

1 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
2 of Services for Children, Youth and Their Families shall administer a competitive  
3 Request for Proposal (RFP) process to determine grant awards to local districts. Grant  
4 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation  
5 of proposals can be, but are not limited to, the following: links to Part II discipline  
6 funding or other district resources; the use of collaborative partnerships; the relative need  
7 of the local school district community; and the recognition within a proposal of the need  
8 to provide services to meet the presenting problems of both the child and the family. To  
9 the extent possible, the Department of Services for Children, Youth and Their Families is  
10 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid  
11 eligible children. Funds resulting from these efforts may be used to expand these  
12 services with prior approval of the Budget Director and the Controller General.

13 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup> General  
14 Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative school  
15 program. The program shall be developed utilizing research based best-practice models as described in  
16 “Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999”. The program  
17 shall provide year-round services to no more than 100 students. This program shall be considered a  
18 special school for the purposes of charging tuition payments to be made by school districts of residence  
19 under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30 percent of the  
20 total cost of the program. The Department of Education and the New Castle County Consortium shall  
21 oversee administration of the program. Such oversight shall include an annual evaluation of the program.  
22 The New Castle County Consortium may enter into contractual arrangements to operate the program.

23 Section 349. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
24 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
25 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would  
26 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all

1 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
2 school districts and other ICT agencies.

3 Section 350. Any placement made pursuant to 14 Del. C. § 3124 in which the individual  
4 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

5 Section 351. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
6 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
7 Vocational. This appropriation shall be used to continue the program of vocational education for  
8 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a  
9 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week  
10 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding  
11 otherwise provided under 14 Del. C. § 1703(d).

12 Section 352. (a) Section 1 of this Act provides an appropriation to Public Education, Block  
13 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in  
14 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low  
15 achieving students in order that they may improve their academic performance in the four primary content  
16 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state  
17 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's  
18 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative  
19 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to  
20 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,  
21 up to 50 percent may be used within the normal school day provided the services are in the form of  
22 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the  
23 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this  
24 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant  
25 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the  
26 district application for funding.

1 (b) The following criteria shall apply to each of the components of the Extra Time for Students  
2 Program.

3 (1) In order to qualify for an allocation, each district shall submit an application to the  
4 Department of Education as part of the districts' consolidated application. The  
5 application must show evidence of building level staff involvement in the development of  
6 the district proposal.

7 (2) The application provided to the Department of Education shall indicate the student  
8 populations to be served, the type of program(s) proposed, the levels of academic  
9 improvement the additional services are intended to achieve, and the measurement and/or  
10 evaluation process the district will use to determine program effectiveness. Associated  
11 transportation costs shall also be included in the district application.

12 (3) Funding for this component shall only be used for academic instruction or remediation  
13 programs that are offered to a targeted population of low achieving students. Should  
14 funds be used during the regularly scheduled six and one half hour school day, said funds  
15 must be used to hire additional instructional staff to provide additional instruction or  
16 remediation to the targeted population in one of the four core curriculum areas. Prior to  
17 the expenditure of funds during the regular school day, districts must obtain the approval  
18 of the Secretary of Education, Budget Director and Controller General and must certify to  
19 the Secretary of Education, Budget Director and Controller General that sufficient  
20 resources remain to operate the mandated summer school program. The Department of  
21 Education shall promote the use of "Best Practices" in this area through all available  
22 means.

23 (4) Funds appropriated pursuant to this section may not be used for curriculum development  
24 or staff training functions, but may be used for the purchase of supplies and materials  
25 necessary to operate extra time programs. To the extent that these funds are used to pay  
26 salary expenses of district instructional staff, these funds may only be used for costs  
27 associated with the state share of salaries, as provided under 14 Del. C. § 1305.

1 (5) In order to maximize resources provided under this program, local school districts are  
2 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the  
3 provisions of 14 Del C. § 1902(b).

4 (6) Local school districts may use funds appropriated pursuant to this section to contract with  
5 private or non-profit instruction or tutoring services provided that there is evidence of  
6 building level conversations regarding contracted services.

7 (7) If, after the applications are received by the Department of Education, a local district does  
8 not choose to utilize the full amount to which they are entitled, the Department of  
9 Education may allocate any remaining amount through a competitive RFP process.

10 (c) The following criteria shall apply to the component of the program that serves students in any  
11 grade levels:

12 (1) Allocations for this component shall be provided in proportion to the total Division I  
13 units in each school district, multiplied by the state portion of the average teacher salary  
14 in the district in the immediately preceding fiscal year.

15 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
16 \$400.0 is to be utilized.

17 (1) This funding shall serve students in kindergarten through third grade who are identified  
18 during their kindergarten and first grade years as being inadequately prepared to succeed  
19 in reading or are performing below grade level.

20 (2) This funding shall be utilized exclusively to provide supplemental services or teaching  
21 methods designed to improve the reading abilities of students with the goal being that  
22 they achieve and maintain their appropriate grade level reading ability. These services  
23 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.  
24 The school districts are strongly encouraged to use programs including, but not limited  
25 to, Reading Assist and other research based multi-sensory programs.

26 (3) The funding for this component may provide services outside of the normal school  
27 operation timeframe as specified in subsections (c) and (d) of this section or may be used

1 during the regular school day, provided however that the services being offered are  
2 supplemental to the reading instruction the student would otherwise normally receive.

3 (e) The Department of Education shall determine common data definitions and data collection  
4 methodologies for each program in this section. Districts shall use such definitions and methodologies  
5 and shall provide information as requested by the Department of Education. This information shall  
6 include but not be limited to the following: state identification number for each student served, total  
7 number of program contact hours per student, content area(s) addressed, and evidence of academic  
8 improvement. The Department of Education shall prepare a statewide management report to identify  
9 needs for program improvement and best practice.

10 Section 353. Section 1 of this Act appropriates 31.7 FTEs, of which up to 4.0 shall be authorized  
11 as teachers/supervisors, 23.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
12 Education, and 1.0 education associate to operate the Prison Education Program. The qualification of  
13 employees for the prison education program shall be the same as the qualification for employees in the  
14 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
15 responsibilities and duties developed by the Department of Education.

16 Salary for employees in the prison education program when paid from funds of this State, shall be  
17 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
18 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the  
19 ten month amount shall be multiplied by 1.1 or 1.2 respectively. Employees whose primary job location  
20 is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit  
21 System. Teachers/supervisors shall receive an administrative supplement of four to eight percent to be  
22 determined by the Department of Education with the approval of the co-chairs of the Joint Finance  
23 Committee.

24 Students served under this program shall not be included in the calculation for unit count  
25 purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may transfer funds  
26 between lines and departments to pay for this program.

1           Section 354. Any provisions of the Delaware Code to the contrary notwithstanding, the  
2 Department of Education is authorized and directed to provide aides for the purpose of providing  
3 mainstreaming services to deaf students as follows: three in Capital School District, three in Cape  
4 Henlopen School District and one in Milford School District.

5           Section 355. 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 Tech Prep 2+2. A Delaware Tech Prep  
7 Consortium is formed to provide for overall program development and management, coordination and  
8 technical assistance. The Consortium will review and provide technical assistance and in-service training  
9 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
10 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
11 and federal legislation.

12           The Consortium Board of Directors shall include: the President or designee of the Delaware  
13 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
14 School District, Polytech School District and the Sussex County Technical School District; the State  
15 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
16 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
17 State University and Wilmington College and one representative of business and industry. The  
18 superintendent or designee of two comprehensive local school districts will also be appointed  
19 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
20 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
21 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
22 are eligible.

23           Polytech School District will act as financial agent for the Consortium and an annual financial  
24 and program report will be submitted to the co-chairs of the Joint Finance Committee.

25           The Consortium may select another member to serve as the financial agent in a subsequent year  
26 consistent with the rules and procedures it adopts.

1           Section 356. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
2 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
3 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
4 support and enrichment for students. Funding shall provide approximately six to ten pilot programs  
5 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
6 businesses. The Department of Education shall administer a competitive grant process focused on the  
7 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
8 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
9 and outreach to parents, especially those who are reluctant to interact with schools.

10           Section 357. Section 1 of this Act makes an appropriation to the State Board of Education, Block  
11 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,  
12 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

13           The Department of Education shall administer an application process to determine grant awards  
14 to local districts.

15           If funds provided under this section are used for costs associated with teachers and aides, funds  
16 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

17           Section 358. Section 1 of this Act appropriates \$6,970.0 to Public Education, Block Grants and  
18 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall  
19 provide one Reading Resource Teacher in each school with a grade configuration including any  
20 combination of grades Kindergarten through Fifth. Reading Resource Teachers shall provide direct  
21 reading instruction to students which must include explicit and systematic instruction in phonemic  
22 awareness, phonics, vocabulary development, reading fluency and reading comprehension strategies.  
23 Reading Resource Teachers shall work with the Reading Cadre to ensure that appropriate reading  
24 activities and support are embedded in all curricular areas. Reading Resource Teachers shall have a  
25 documented background in reading and/or be a teacher with documented classroom success in teaching  
26 reading.



1 This appropriation will provide schools within districts the state share of salaries in accordance  
2 with 14 Del. C. §1305 for 10-month Reading Resource Teachers, as well as the appropriate per unit  
3 amount of Division III funding. In order to maximize resources provided under this program local school  
4 districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the provisions of 14  
5 Del. C. §1902(b).

6 The Department of Education will study and collect information from each school district  
7 regarding the utilization of these educators, achievements and anticipated outcomes. The Department will  
8 report this information to the Joint Finance Committee co-chairs, Budget Director and Controller General  
9 no later than December 31, 2004.

10 Section 359. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,  
11 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
12 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
13 adopted by the Joint Finance Committee on April 16, 1981.

14 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2005,  
15 shall be allocated and shall not exceed \$59,541.2 (of which \$4,466.3 is designated as a transportation  
16 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
17 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
18 amendments and procedural modifications:

- 19 (1) The per gallon price used to calculate the fuel allowance shall be based on the state  
20 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.28 per gallon for  
21 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,  
22 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more  
23 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,  
24 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).  
25 Upon determination by the Department of Education that a contractor located North of  
26 the Chesapeake and Delaware Canal and operating five or fewer buses does not have

1 existing storage capacity in the large tank range, the per gallon price shall be based on the  
2 smaller tank size.

3 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
4 preceding fiscal year. Funding adjustment will be made when the annual average price  
5 increases or decreases by at least five cents per gallon. The first review will be based on  
6 the annual averages through December 31 of each year. Additional reviews will be  
7 conducted each month thereafter until April 30.

8 (2) The Fiscal Year 2005 operating allowance will be adjusted for inflation by a rate of 1.5  
9 percent.

10 (3) For the fiscal year ending June 30, 2005, the allowable cost of a new unused bus that was  
11 purchased by a contractor and put on contract and that was produced between January 1,  
12 2004 and December 31, 2004 (as noted on the school bus identification plate) shall begin  
13 its seven-year capital allowance schedule using the 2004 state bid price for new school  
14 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
15 charges and profits not reflected in the state bid price due to the higher number of buses  
16 being purchased and the lag time between ordering and delivery. Any bus produced and  
17 placed in service after January 1, 2005 of the current fiscal year shall be entitled to an  
18 allowance based on the 2005 state bid price.

19 A used bus placed in service shall utilize the allowance schedule which would have been  
20 allowed had the bus been placed in service when new based on its production date. The  
21 bus shall receive the remaining years of capital allowance. The Department of Education  
22 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the  
23 allowable cost for any size bus that it did not bid in Fiscal Year 2004. In addition to the  
24 procedure for establishing the allowable cost of a new bus specified above, the  
25 Department of Education is requested to structure its bids for buses in the fiscal year  
26 ending June 30, 2005, in such a manner that public school bus contractors will be  
27 permitted to purchase buses from the successful lower bidder at the same price as the

1 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
2 base bid of an awarded contract minus two percent for salvage value will be the  
3 allowable cost in subsequent reimbursements to the contractor.

4 (4) In Fiscal Year 2005, the school bus contractor insurance allowance shall be increased  
5 by ten percent north of the canal and five percent south of the canal.

6 (c) The Department of Education shall amend its transportation formula to permit replacement of  
7 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle  
8 which has operated 150,000 school-related miles regardless of the age of the vehicle.

9 (d) The Department of Education is authorized to amend its formula to allow the purchase of  
10 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer  
11 available.

12 (e) Except as specified in this section, or for changes in the price of fuel, or for the  
13 adjustments of those items changed by state or federal laws, the Department of Education shall not  
14 change the transportation formula unless the change has been authorized by the General Assembly and  
15 an appropriation therefore has been made by the General Assembly.

16 (f) The Department of Education is authorized to amend its formula such that automatic  
17 transmission shall be considered standard equipment on contractor and school district bus purchases.

18 (g) The Department of Education is authorized to amend its transportation formula to change the  
19 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-  
20 gallon.

21 (h) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
22 maximum of twelve air conditioned buses to transport special need students. The Department of  
23 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
24 required to transport special education students that have a medical need for air conditioning (specified by  
25 a physician), and that go to a special education school.

26 Section 360. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the  
27 Department of Education, modifications requested by charter schools associated with the provision of

1 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be  
2 considered a minor modification.

3 Section 361. Notwithstanding any other provisions of the Delaware Code or this Act to the  
4 contrary, the Department of Education is authorized to approve and provide funding for additional  
5 transportation routes necessary to support the Seaford School District's pilot implementation of a  
6 balanced calendar schedule, beginning in Fiscal Year 2003.

7 Section 362. (a) During the fiscal year, the Department of Education is hereby directed to  
8 provide bus transportation of public school students previously declared ineligible by the Unique Hazards  
9 Committee, including the following:

10 (1) Students attending the Stanton Middle School who are now forced to walk along  
11 Telegraph Road with a constant threat of injury.

12 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
13 Road with a constant threat of injury.

14 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
15 who attend the Seaford schools, grades K-6.

16 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
17 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.

18 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
19 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
20 to duPont Street on the east-west grid.

21 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
22 along Kirkwood Highway with a constant threat of injury.

23 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
24 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.

25 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
26 to walk along Centerville Road (Rt. 141) with a constant threat of injury.

- 1 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
2 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
3 Route 404 or Route 18.
- 4 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
5 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
6 along U.S. 13 in order to reach school.
- 7 (11) Students attending the Concord High School who live south of Naamans Road in the  
8 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
9 along Grubb and/or Naamans Road with a constant threat of injury.
- 10 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
11 Laurel and the surrounding areas.
- 12 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
13 Avenue.
- 14 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
15 along Bellevue Road.
- 16 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
17 over and/or walk along River Road between Lore and Bellevue.
- 18 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
19 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
20 injury.
- 21 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of  
22 hazards of Route 4 at Pierson Drive intersection.
- 23 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
24 School.
- 25 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
26 railroad tracks.

- 1 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
2 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
3 Route 13A.
- 4 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
5 Brook areas, students who reside in the Woodacre Apartments and students who live  
6 along Peachtree Road.
- 7 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
8 Eden Ridge who must cross Concord Pike.
- 9 (23) Sussex Central High School and Georgetown Elementary School students who live east  
10 of Bedford Street.
- 11 (24) Lombardy Elementary School students who must cross Foulk Road.
- 12 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 13 (26) Students attending the Colwyck Elementary School who live in the Landers Park and  
14 Swanwyck Gardens residential areas.
- 15 (27) Students attending Central Middle School, living in the area south of Kent General  
16 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
17 Hope Street and Sackarackin Avenue.
- 18 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 19 (29) Students attending Brandywine High School who live in Concord Manor and are forced  
20 to walk along Shellpot Drive and Windley Hill.
- 21 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
22 in the Smyrna School District who live on Buresch Drive.
- 23 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
24 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
25 Brandywine School district who lives along Grubb Road (between Naamans Road and  
26 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between

1 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
2 school.

3 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
4 Darley Road Elementary School.

5 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
6 Westfield who must cross Limestone Road.

7 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the  
8 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.

9 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap  
10 Pike.

11 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
12 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and  
13 in the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on  
14 The Governor Printz Boulevard.

15 (37) Students attending the Woodbridge School District, who live in the Canterbury  
16 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment  
17 complex in lieu of the bus stop area along the heavily traveled U.S. 13.

18 (b) The transportation of the students specified herein shall continue until the funds requested are  
19 appropriated and construction is completed. Spur routes shall continue to be served as at present.

20 Section 363. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
21 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
22 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
23 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
24 traveling from routes to and from the Southern Delaware School of the Arts.

1           Section 364. During the fiscal year, the Department of Education will continue and broaden  
2 implementation of the computerized routing system for school bus transportation. During this  
3 implementation, the Department is directed to continue to provide bus transportation services to any  
4 residential area which has received transportation services since October 1, 1977.

5           Section 365. The National Highway Traffic Safety Administration (NHTSA) is conducting a  
6 research program to consider alternative methods of potentially improving federal school bus passenger  
7 crash protection requirements. Based upon NHTSA's report, the Department of Education will  
8 recommend changes to the Delaware school bus specifications so that all school buses will continue to be  
9 in compliance with federal safety standards.

10          Section 366. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)  
11 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following  
12 reimbursement methodology is in effect:

13           (a) For those school districts or private contractors who are operating school buses equipped with  
14 cellular phone technology or have no radio or telephonic communication equipment, the Department of  
15 Education is authorized to bring said districts and contractors under a State negotiated cellular phone  
16 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,  
17 subject to the availability of funds.

18           (b) For those school districts or private contractors who are operating school buses equipped with  
19 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the  
20 installation cost of the radio equipment on a one-time basis.

21          Section 367. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -  
22 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall  
23 administer a non-competitive application process to determine grant awards to local school districts and  
24 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting  
25 the maintenance of existing equipment in the schools either through the use of a full time technology  
26 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as  
27 may arise which could improve or enhance the technology capabilities of the district. If funds provided



1 under this section are used for costs associated with positions, funds may only be used for costs  
2 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding  
3 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance  
4 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the  
5 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71  
6 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse  
7 these funds. The department shall also be charged with the authority to verify the use of the funds and  
8 shall require each school district to annually report on expenditures of the funds.

9 Section 368. Section 1 of this Act provides an appropriation to the Delaware Center for  
10 Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for  
11 and engage in activities related to total project needs and budgets for statewide education technology  
12 projects, the establishment of cost-sharing policies, the initiation and delivery of instructional technology  
13 programs, implementation on an on-going basis of professional training programs related to statewide  
14 education technology and providing technical assistance to the Department of Education for the initiation  
15 of system-wide applications including administrative and curriculum development.

16 The Department of Technology and Information shall support and enhance statewide education  
17 technology issues and network. In addition, DTI will collaborate with the Department of Education to  
18 provide professional training programs related to using technology in schools which promote and support  
19 Delaware's education standards initiative.

20 Section 369. The provisions of this Act to the contrary notwithstanding, consistent with the  
21 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional  
22 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra  
23 Time for Students and Minor Capital Improvements program will not be required to submit an application  
24 to the Department of Education. Any funds received as a result of the allocation of these programs may  
25 be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

1           Section 370. Section 1 of this Act makes an appropriation to the Delaware Higher Education  
2 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the  
3 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$235.0 shall be  
4 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;  
5 \$100.0 shall be used for the Professional Librarian/Archives Incentive Program; \$60.0 for the  
6 Legislative Essay Scholarship; \$64.2 for the Charles L. Hebner Scholarship; \$50.0 for Critical Teacher  
7 Scholarships; and \$50.0 for Delaware Teacher Corps. Any Herman M. Holloway Sr. Scholarship  
8 Program funds remaining after payment of the Holloway Scholarships, may be awarded to Delaware  
9 State University students with financial need who applied to the Scholarship Incentive Program.

10           Section 371. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
11 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any  
12 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
13 subsequent year with approval of the Department of Education. In the event that actual awards exceed  
14 projected award amounts, spring awards may be reduced to cover the difference.

15           Section 372. Effective July 1, 2004, the Department of Education, in accordance with 14 Del. C.  
16 Section 183, shall integrate at the level approved by the Joint Finance Committee on June 2, 2004.

17           Section 373. Section 1 of this Act makes an appropriation of \$100.0 to the Delaware Higher  
18 Education Commission (95-08-01) for the National Board Certification Loan Program. DHEC shall  
19 administer a non-competitive loan program for educators pursuing certification from National Board for  
20 Professional Teaching Standards. Loans shall be made to cover costs associated with the application fee  
21 and assessment process. If there are more individuals requesting funds than funds appropriated, DHEC  
22 shall prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years  
23 of achieving National Board Certification or within three years from the start of the program whether the  
24 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the  
25 borrower must repay all funds received with interest as determined by the Delaware Higher Education  
26 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is  
27 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

1           Section 374. Amend 14 Del. C. §3473 by deleting the number “\$500” as it appears in subsection  
2 (a) and inserting in lieu thereof the number “\$750”.

3           Further Amend 14 Del. C. §3473 by deleting the numbers “\$5,000”, “\$2,500”, and “\$1,500” as  
4 they appear in subsection (b) and inserting in lieu thereof the numbers “\$7,500”, “\$3,750”, and “\$2,250”.

5           Section 375. Section 1 of this Act provides a one-time appropriation in the Office of the Budget,  
6 Contingencies and One Time Items (10-02-04) of \$500.0 to the Department of Education, Higher  
7 Education Commission (95-08-01) for Carson Scholars Fund. These funds are to be used to endow the  
8 Carson Scholarships Program and shall be administered by the Delaware Higher Education Commission  
9 through a partnership with the Delaware Community Foundation. Prior to establishing said endowment,  
10 the Delaware Higher Education Commission and Delaware Community Foundation shall provide  
11 documentation to the Budget Director and Controller General demonstrating at least a 1:1 match from  
12 private and foundation donations for this program.

13           The Carson Scholarship Program provides for an award to those students who excel academically  
14 and rewards their achievements so that they will be motivated to continue to strive toward excellence.  
15 The goal of this program is to award a scholarship annually to one student in each Delaware public school  
16 district and charter school.

17           Awards for this program shall be in the amount of \$1.0. Said funds shall be invested upon award  
18 by the Delaware Higher Education Commission and shall be available to pay qualified higher education  
19 expenses upon matriculation of awardees into a higher education program.

20           Eligible students shall be those students in grades 4 – 12 who have at least a 3.75 grade point  
21 average at the time of application and demonstrate strong humanitarian qualities. Students shall apply to  
22 their individual district or charter school for said award using an application developed by the Higher  
23 Education Commission. Each district and charter school shall select one application from their students  
24 who have applied. The student applications shall be judged by the statewide review committee based on a  
25 rubric created for the Carson Scholars Fund. Awards will be distributed annually subject to the  
26 availability of funds for this program.

1           Section 376. The Delaware Higher Education Commission is hereby authorized to use up to  
2 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the  
3 recognition of students who are awarded scholarships associated with that appropriation.

4           Section 377. During the fiscal year, the Department of Education, with the approval of the State  
5 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
6 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
7 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
8 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the  
9 Department of Education is authorized to engage the professional services of a cadre of single hearing  
10 officers to preside over such hearings.

11           Section 378. The Brandywine School District Board shall maintain as a stand alone program its  
12 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
13 Academically Gifted Program) at least through the end of the 2006 - 2007 school year. The program shall  
14 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently  
15 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,  
16 recruitment, assessment of students for entry into the program, curriculum development, teacher  
17 assignment and other support elements as currently exist.

18           The Board shall make no decision on the future of the Gifted and Talented Program as it relates to  
19 its configuration as a stand alone program at its current locations prior to July 1, 2005.

20           Section 379. The Department of Education shall continue to work towards the collection of  
21 school-level financial data. To this end, when processing transactions in the Delaware Financial  
22 Management System (DFMS), local school districts shall use a standard set of program codes as  
23 established by the Department of Education effective July 1, 2003.

24           Section 380. In accordance with the statewide healthcare reconciliation, beginning this fiscal  
25 year Capital School District will pay one-fifth of the total amount owed each fiscal year, ending in Fiscal  
26 Year 2008.

1           Section 381. 72 Del. Laws, c. 258 appropriated \$4,000.0 to the Appoquinimink School District to  
2 implement a \$4,500.0 Critical Classroom Acquisition Program (CCAP). The total local share of this  
3 project shall be \$1,300.0. In Fiscal Year 2000, the district utilized \$500.0 of its Division III Equalization  
4 funds. The remaining \$800.0 shall be repaid by the State withholding Division III Equalization funds in  
5 accordance with the following schedule:

6	Fiscal Year 2001	\$160.0
7	Fiscal Year 2002	\$160.0
8	Fiscal Year 2003	\$160.0
9	Fiscal Year 2005	\$160.0
10	Fiscal Year 2006	\$160.0

11           Section 382. The Department of Education is authorized to work with the public school districts  
12 to develop options for a flexible funding pilot program for school districts. Upon approval of the Budget  
13 Director, Controller General and Joint Finance Committee Co-Chairs, up to two school districts may pilot  
14 in Fiscal Year 2006.

15

**SYNOPSIS**

This Bill is the Fiscal Year 2005 Appropriation Act.

Author: Joint Finance Committee