



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

HOUSE OF REPRESENTATIVES

143RD GENERAL ASSEMBLY

HOUSE BILL NO. 35

JANUARY 27, 2005

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

1           Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential  
2 to the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2006, are  
3 hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and  
4 divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to  
5 the provisions of Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the  
6 Delaware Code notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the  
7 last day of June 2006, shall not have been paid out of the State Treasury, shall revert to the General Fund; provided,  
8 however, that no funds shall revert which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

9           The several amounts hereby appropriated are as follows:



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# DEPARTMENTS

Year ending June 30, 2006

## (01-00-00) LEGISLATIVE

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Personnel		
NSF	ASF	GF
		29.0
		29.0

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			4,306.4
			58.2
			37.6
			400.0
			40.0
			30.0
			323.6
			30.0
			5,225.8

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

Personnel		
NSF	ASF	GF
		18.0
		18.0

			2,587.4
			52.3
			20.2
			192.0
			35.0
			45.0
			25.0
			175.1
			75.0
			3,207.0

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

			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**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(01-08-00) Legislative Council**

**(01-08-01) Research**

		19.0
		19.0

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

	1,226.2
	18.3
	165.1
	119.7
	30.0
	4.5
	55.0
	38.5
	1,657.3

TOTAL -- Research

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

		15.0
		15.0

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

	1,259.8
	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
	2,003.6

TOTAL -- Office of the Controller General

**(01-08-03) Code Revisors**


Travel  
Contractual Services  
Supplies and Materials

	1.1
	220.8
	0.5
	222.4

TOTAL -- Code Revisors

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


Travel  
Contractual Services  
Supplies and Materials

	17.0
	18.1
	0.2
	35.3

TOTAL -- Commission on Uniform State Laws

		34.0
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**TOTAL -- Legislative Council**

	3,918.6
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		<b>81.0</b>
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**TOTAL -- LEGISLATIVE**

	<b>13,211.3</b>
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(02-00-00) JUDICIAL

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(02-01-00) Supreme Court</b>				
11.3		27.0	Personnel Costs			9.5	2,464.7
			Travel			6.8	13.4
			Contractual Services			121.4	140.1
			Supplies and Materials			5.0	38.1
			Capital Outlay			6.7	
			Other Items:				
			Court on the Judiciary				1.0
11.3		27.0	<b>TOTAL -- Supreme Court</b>			149.4	2,657.3
		27.0	(-10) Supreme Court	149.4	2,657.3		
11.3			(-40) Reg-Arms of the Court				
11.3		27.0	<b>TOTAL -- Internal Program Units</b>	149.4	2,657.3		
			<b>(02-02-00) Court of Chancery</b>				
	21.0	29.0	Personnel Costs			480.9	2,458.5
			Travel			5.5	13.0
			Contractual Services			985.8	55.7
			Supplies and Materials			37.5	26.0
			Capital Outlay			35.0	
	21.0	29.0	<b>TOTAL -- Court of Chancery</b>			1,544.7	2,553.2
	21.0	29.0	(-10) Court of Chancery	1,544.7	2,553.2		
	21.0	29.0	<b>TOTAL -- Internal Program Unit</b>	1,544.7	2,553.2		
			<b>(02-03-00) Superior Court</b>				
2.0		283.5	Personnel Costs				16,660.1
			Travel				53.2
			Contractual Services				962.5
			Supplies and Materials				229.7
			Capital Outlay				56.0
2.0		283.5	<b>TOTAL -- Superior Court</b>				17,961.5
2.0		283.5	(-10) Superior Court		17,961.5		
2.0		283.5	<b>TOTAL -- Internal Program Unit</b>		17,961.5		
			<b>(02-06-00) Court of Common Pleas</b>				
	4.0	125.0	Personnel Costs			174.3	7,194.1
			Travel				11.0
			Contractual Services				182.1
			Supplies and Materials				91.2
			Capital Outlay			4.0	7.1
	4.0	125.0	<b>TOTAL -- Court of Common Pleas</b>			178.3	7,485.5
	4.0	125.0	(-10) Court of Common Pleas	178.3	7,485.5		
	4.0	125.0	<b>TOTAL -- Internal Program Unit</b>	178.3	7,485.5		



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Personnel		
NSF	ASF	GF
1.0	64.0	267.0
1.0	64.0	267.0

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

**TOTAL -- Family Court**

1.0	64.0	267.0
1.0	64.0	267.0

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		3,102.8	15,130.3
		12.3	30.6
		217.5	443.3
		62.2	129.6
		48.0	
		108.4	
		3,551.2	15,733.8

3,551.2	15,733.8
3,551.2	15,733.8

**(02-13-00) Justices of the Peace Courts**

		246.5
		246.5

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

**TOTAL -- Justices of the Peace Courts**

		246.5
		246.5

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

	12,762.2
	9.4
	1,256.1
	94.5
	131.2
	12.5
	327.8
	14,593.7

	14,593.7
	14,593.7

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

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Personnel		
NSF	ASF	GF
		80.5
		80.5

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

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

\$ Program	
ASF	GF
33.4	6,813.2
33.4	10,857.4

\$ Line Item	
ASF	GF
	4,850.5
	32.5
	1,149.1
	20.5
	441.6
	220.9
	60.0
	33.3
	424.8
	2,267.8
	200.0
	415.1
	50.0
	209.1
	125.3
33.4	356.9
33.4	10,857.4

**TOTAL -- Administrative Office of the Courts - Court Services**

		35.0
		8.0
		34.0
		3.5
		80.5

(-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	6,813.2
	505.8
	3,063.8
	474.6
33.4	10,857.4

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
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**

447.1	1,405.9
29.0	27.7
91.8	116.8
10.0	26.6
6.0	1.6
	3.0
2,500.0	50.0
1.5	
3,085.4	1,631.6

	8.0	7.5
		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**

	452.7
3,085.4	
	475.5
	77.3
	470.9
	155.2
3,085.4	1,631.6

<b>14.3</b>	<b>97.0</b>	<b>1,082.5</b>
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**TOTAL -- JUDICIAL**

<b>8,542.4</b>	<b>73,474.0</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
		57.2	2,066.9
		0.5	14.5
		140.9	165.1
		0.2	22.7
			43.0
			8.7
		198.8	2,320.9

**(10-02-00) Office of Management and Budget**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Administration Other Items  
    Trans & Invest  
    Agency Aide  
    Evaluation Projects  
    Payment in Lieu of Taxes  
Budget Commission  
Statistical Analysis Center Other Items:  
    Juvenile YRS  
Budget Administration Other Items:  
    Development Projects  
    Budget Automation - Operations  
Contingencies and One-Time Items:  
    One-Time  
    Contingency - Attorney Pay Plan  
    Livable Delaware  
    Prior Years' Obligation  
    Self Insurance  
    Legal Fees  
    Personnel Costs - Salary Shortage  
    Appropriated Special Funds  
    Salary/OEC Contingency  
    KIDS Count  
    Great Beginnings  
    Judicial Nominating Committee  
    Post Retirement Increase  
    Elder Tax Relief & Education Expense Fund  
    Tax Relief & Education Expense Fund  
    Veteran's Home Operations  
    Infant Mortality Task Force  
Human Resources Operations Other Items:  
    Employee Recognition  
    School to Work  
Tobacco: Disease Cost Containment

19.8	165.5	232.0
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8,475.4	13,339.7
92.8	57.8
9,672.1	11,084.6
41.3	4,976.9
2,421.0	1,913.2
4,946.4	37.7
500.0	
	374.7
	100.0
	65.0
	50.0
61.6	
	1,300.0
	38.0
	555.2
	250.0
	150.0
	450.0
	4,000.0
	2,900.0
	400.0
23,000.0	36,719.2
	100.0
	21.0
	8.0
	1,805.2
	11,876.7
	17,500.0
	150.0
	100.0
	13.6
	20.0
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**(10-00-00) EXECUTIVE**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					210.0	150.0
					140.0	
					5.0	
						40.0
						190.0
						88.0
					24,047.1	
					350.0	
						3,513.3
						39.0
					500.0	
					613.8	
						19,389.5
19.8	165.5	232.0	<b>TOTAL -- Office of Management and Budget</b>		75,576.5	133,766.3
5.2	23.5	61.3			2,182.9	7,088.6
						50.0
2.6		7.2			61.6	575.2
	3.0	18.0			273.2	2,940.4
					23,000.0	76,985.3
	15.0	17.0			1,467.2	1,078.2
	5.0	5.0			699.9	646.7
10.0	1.0	1.0			56.3	320.9
	5.0				24,047.1	1,978.6
	55.0				7,810.7	3,552.3
		9.0			1,949.3	443.1
	15.0				2,086.1	
	31.0				9,162.9	
		6.5			73.2	369.3
		15.0			100.0	883.2
	5.0				323.4	
2.0	4.0	4.0			814.1	236.5
	3.0	88.0			1,468.6	36,618.0
19.8	165.5	232.0	<b>TOTAL -- Internal Program Units</b>		75,576.5	133,766.3

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

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				820.0
						23.6
					150.0	211.6
						16.0
						10.0
						5.0
						5.0
						50.0
						4.1
		10.0			150.0	1,145.3
			<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	
					400.0	
					45.0	
					5.0	
					45.0	
	10.0				2,495.5	
			<b>(10-03-03) Delaware Economic Development Authority</b>			
	5.0	30.0			300.8	2,076.5
					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
					1,700.0	
						50.0
						1,602.3
	5.0	30.0			3,471.3	4,168.1
			<b>TOTAL -- Delaware Economic Development Office</b>			
	15.0	40.0			6,116.8	5,313.4

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

<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(10-05-00) Delaware Health Care Commission</b>			
		4.0				276.1
						20.1
						79.5
						6.5
						3.5
	1.0				57.1	
					1,000.0	
						5.0
						15.1
						250.0
						2,080.0
						248.0
	1.0	4.0	<b>TOTAL -- Delaware Health Care Commission</b>		1,057.1	2,983.8
	1.0	4.0	<b>(-01) Delaware Health Care Commission</b>			
			1,057.1	655.8		
			<b>(-02) Delaware Institute of Medical Education and Research</b>			
				2,080.0		
			<b>(-03) Delaware Institute of Dental Education and Research</b>			
				248.0		
	1.0	4.0	<b>TOTAL -- Internal Program Unit</b>		1,057.1	2,983.8
			<b>(10-07-01) Criminal Justice Council</b>			
14.2		11.8				725.2
						1.3
						27.6
						3.8
	1.0				215.1	10.9
						24.6
						117.2
14.2	1.0	11.8	<b>TOTAL -- Criminal Justice Council</b>		215.1	910.6
			<b>(10-07-02) Delaware Justice Information System</b>			
		10.0				667.7
						3.8
						337.5
						14.9
		10.0	<b>TOTAL -- Delaware Justice Information System</b>			1,023.9
14.2	1.0	21.8	<b>TOTAL -- Criminal Justice</b>		215.1	1,934.5

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

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Personnel		
NSF	ASF	GF
6.0	39.0	
6.0	39.0	
<b>40.0</b>	<b>222.5</b>	<b>321.8</b>

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

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Huling Cove  
     Capital Green  
     Housing Development Fund  
     Public Housing  
     Home Improvement Insurance  
 Debt Service  
**TOTAL -- Delaware State Housing Authority**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,399.1	
		99.5	
		988.0	
		67.0	
		86.1	
		275.0	
		770.0	
		28,800.0	3,337.0
		500.0	
		1,665.0	
			69.5
		35,649.7	3,406.5
		<b>118,814.0</b>	<b>149,725.4</b>

**TOTAL -- EXECUTIVE**





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

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<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>(11-04-00) Office of Major Projects</b>	
	2.0	24.0			109.6	1,627.7
						8.5
						75.0
						1.8
						1.0
						35.0
	2.0	24.0			109.6	1,749.0
					<b>TOTAL -- Office of Major Projects</b>	
		1.0		261.4		
	2.0	18.0	109.6	1,234.1		
		5.0		253.5		
	2.0	24.0	109.6	1,749.0		
					<b>TOTAL -- Internal Program Units</b>	
	<b>18.0</b>	<b>200.0</b>			<b>27,306.7</b>	<b>33,835.7</b>
					<b>TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION</b>	

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		6.0
		6.0

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

	468.3
	6.3
	23.1
	2.8
	7.7
	508.2

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

	6.0	36.0
	6.0	36.0

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

395.1	2,326.7
5.0	25.4
459.9	472.5
8.4	12.9
5.4	29.9
873.8	2,867.4

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

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

	25.0	
	25.0	

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

1,892.7	
25.8	
276.6	
6.5	
20.1	
10.5	
2,232.2	

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

2.0	52.0	
2.0	52.0	

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

2,634.0	
78.3	
834.5	
38.5	
316.4	
39.9	
13,500.0	
17,441.6	

**TOTAL -- Insurance Commissioner**

2.0	77.0	
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19,673.8	
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**(12-00-00) OTHER ELECTIVE**

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<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>(12-05-00) State Treasurer</b>	
					<b>(12-05-01) Administration</b>	
	9.5	13.5			592.2	888.8
					20.2	6.6
					115.6	89.2
					9.4	9.9
					25.5	
					2,365.0	
					50.0	
					70.0	
	9.5	13.5			3,247.9	994.5
					<b>TOTAL -- Administration</b>	
					<b>(12-05-03) Debt Management</b>	
						358.9
						9,442.6
					33,490.4	
						20,982.0
						85.0
					33,490.4	30,868.5
					<b>TOTAL -- Debt Management</b>	
	9.5	13.5			36,738.3	31,863.0
					<b>TOTAL -- State Treasurer</b>	
<b>2.0</b>	<b>92.5</b>	<b>55.5</b>			<b>57,285.9</b>	<b>35,238.6</b>
					<b>TOTAL -- OTHER ELECTIVE</b>	

**(15-00-00) LEGAL**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(15-01-01) Office of Attorney General**

40.4	54.9	270.9
	2.0	
40.4	56.9	270.9

Personnel Costs	868.9	19,812.9
Travel	0.1	13.7
Contractual Services	659.6	1,767.1
Energy		36.3
Supplies and Materials	0.3	61.4
Capital Outlay	75.1	17.0
Tobacco:		
Personnel Costs	148.8	
Other Items:		
Extradition		40.0
Victims Rights	452.8	
Medicaid Fraud Program	30.6	
Securities Administration	618.8	
AG Opinion Fund	15.0	
Child Support	1,646.2	
Consumer Protection	1,061.7	
<b>TOTAL -- Office of Attorney General</b>	<b>5,577.9</b>	<b>21,748.4</b>

**(15-02-01) Public Defender**

		131.0
		131.0

Personnel Costs		10,733.5
Travel		9.1
Contractual Services	50.0	667.2
Supplies and Materials		57.3
Capital Outlay		3.8
<b>TOTAL -- Public Defender</b>	<b>50.0</b>	<b>11,470.9</b>

**(15-03-01) Board of Parole**

		8.0
		8.0

Personnel Costs		499.8
Travel		12.2
Contractual Services		22.7
Supplies and Materials		3.3
<b>TOTAL -- Board of Parole</b>		<b>538.0</b>

<b>40.4</b>	<b>56.9</b>	<b>409.9</b>
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**TOTAL -- LEGAL**

<b>5,627.9</b>	<b>33,757.3</b>
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**(20-00-00) DEPARTMENT OF STATE**

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Personnel		
NSF	ASF	GF
5.0	10.0	41.0
5.0	10.0	41.0

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

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

**TOTAL -- Office of the Secretary**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		630.4	2,310.8
		32.7	45.1
		1,320.2	386.0
			57.3
		107.0	105.6
		183.0	4.1
			191.0
			72.0
		2,273.3	3,171.9

	7.0	6.0
		6.0
		10.0
		6.0
		3.0
	3.0	2.0
5.0		1.0
		2.0
		4.0
		1.0
5.0	10.0	41.0

(-01) Administration  
(-02) Delaware Commission on Veterans Affairs  
(-03) Delaware Veterans Memorial Cemetery  
(-04) Veterans Cemetery Georgetown  
(-05) Delaware Heritage Commission  
(-06) Government Information Center  
(-07) Office of Disability Affairs  
(-08) Public Integrity Commission  
(-09) Public Employment Relations Board  
(-10) Merit Employee Relations Board

**TOTAL -- Internal Program Units**

1,630.1	519.9
	454.8
75.0	723.9
16.5	381.9
	195.2
551.7	140.6
	100.1
	174.2
	350.2
	131.1
2,273.3	3,171.9

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

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

**TOTAL -- Office of Human Relations**

1.0		9.0
1.0		9.0

	471.7
	5.2
	35.5
	1.5
10.0	
10.0	513.9

1.0		9.0
1.0		9.0

(-01) Office of Human Relations

**TOTAL -- Internal Program Unit**

10.0	513.9
10.0	513.9

**(20-03-00) Delaware Public Archives**

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

**TOTAL -- Delaware Public Archives**

	6.0	29.0
	6.0	29.0

342.4	1,389.1
4.0	1.8
28.6	223.2
8.0	59.4
7.5	41.0
	20.0
	25.0
	943.0
390.5	2,702.5

	6.0	29.0
	6.0	29.0

(-01) Delaware Public Archives

**TOTAL -- Internal Program Unit**

390.5	2,702.5
390.5	2,702.5

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

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Personnel		
NSF	ASF	GF
	66.0	
	66.0	

**(20-04-00) Regulation and Licensing**

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,302.1	
		126.4	
		2,731.3	
		67.4	
		160.4	
		10.0	
		54.5	
		15.0	
		7,467.1	

	27.0	
	35.0	
	4.0	
	66.0	

(-01) Professional Regulation  
(-02) Public Service Commission  
(-03) Public Advocate  
TOTAL -- Internal Program Units

2,797.3	
4,066.6	
603.2	
7,467.1	

	95.0	
	95.0	

**(20-05-00) Corporations**

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

5,287.3	
20.0	
2,455.5	
60.6	
505.0	
1,300.0	
5,225.0	
14,853.4	

	95.0	
	95.0	

(-01) Corporations  
TOTAL -- Internal Program Unit

14,853.4	
14,853.4	

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

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Personnel		
NSF	ASF	GF
6.9	1.5	40.1
6.9	1.5	40.1

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		85.0	2,168.6
			5.2
			233.7
			236.3
			69.8
			14.5
			15.0
		20.0	35.0
			15.0
			37.0
		84.7	
		1.0	
		13.1	
		83.9	
		1.5	
		3.0	
		10.0	
		23.5	
		19.6	
			60.0
			218.2
		345.3	3,108.3

6.4	1.0	5.0
		5.6
0.5	0.5	29.5
6.9	1.5	40.1

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

189.3	666.3
	316.7
156.0	2,125.3
345.3	3,108.3



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

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Personnel		
NSF	ASF	GF

3.0		6.0
3.0		6.0

3.0		6.0
3.0		6.0

9.0		12.0
9.0		12.0

9.0		12.0
9.0		12.0

	36.0	
	36.0	

	36.0	
	36.0	

<b>24.9</b>	<b>214.5</b>	<b>137.1</b>
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**(20-07-00) Arts**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Other Items:  
     Delaware Art  
     Art for the Disadvantaged  
**TOTAL -- Arts**

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

**(20-08-00) Libraries**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Library Standards  
     Delaware Electronic Library  
     DELNET- Statewide  
     Public Education Project  
     Debt Service  
**TOTAL -- Libraries**

(-01) Libraries  
 TOTAL -- Internal Program Unit

**(20-15-00) State Banking Commission**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
**TOTAL -- State Banking Commission**

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

**TOTAL -- DEPARTMENT OF STATE**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

			378.8
			2.4
			74.1
			3.0
			1,262.5
			10.0
			1,730.8

	1,730.8
	1,730.8

			624.1
			4.0
			153.7
			21.1
			21.6
			7.0
			3,369.5
			490.0
			100.0
			15.0
			966.0
			5,772.0

	5,772.0
	5,772.0

		2,476.9	
		59.0	
		762.0	
		25.0	
		67.5	
		3,390.4	

3,390.4	
3,390.4	

<b>28,730.0</b>	<b>16,999.4</b>
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**(25-00-00) DEPARTMENT OF FINANCE**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(25-01-00) Office of the Secretary**

		18.0
		18.0

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

	1,548.9
	16.9
	184.0
	16.7
	1.5
1,897.5	
	1,742.8
1,897.5	3,510.8

**TOTAL -- Office of the Secretary**

		18.0
		18.0

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

1,897.5	3,510.8
1,897.5	3,510.8

**(25-05-00) Accounting**

		39.0
		39.0

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

	2,555.8
	26.6
	245.8
	42.7
	62.1
	5.0
	2,938.0

**TOTAL -- Accounting**

		39.0
		39.0

(-01) Accounting  
**TOTAL -- Internal Program Unit**

	2,938.0
	2,938.0

**(25-06-00) Revenue**

		193.0
	8.0	
	10.0	
	18.0	193.0

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

	10,523.9
	27.4
	1,325.2
	4.7
	99.9
	60.5
760.2	
1,853.0	
2,613.2	12,041.6

**TOTAL -- Revenue**

	18.0	193.0
	18.0	193.0

(-01) Revenue  
**TOTAL -- Internal Program Unit**

2,613.2	12,041.6
2,613.2	12,041.6

**(25-00-00) DEPARTMENT OF FINANCE**

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF			ASF	GF	ASF	GF
	29.0		<b>(25-07-00) State Lottery Office</b>				1,710.5	
			Personnel Costs				50.0	
			Travel				41,353.6	
			Contractual Services				47.9	
			Supplies and Materials				217.0	
			Capital Outlay				43,379.0	
	29.0		<b>TOTAL -- State Lottery Office</b>					
	29.0		(-01) State Lottery Office		43,379.0			
	29.0		TOTAL -- Internal Program Unit		43,379.0			
	<b>47.0</b>	<b>250.0</b>	<b>TOTAL -- DEPARTMENT OF FINANCE</b>				<b>47,889.7</b>	<b>18,490.4</b>

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

53.1	35.6	425.5
53.1	35.6	425.5

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

1,289.7	22,105.4
12.7	4.6
785.9	4,328.3
	133.5
98.5	913.5
215.0	21.2
269.2	
232.8	
	20.0
	570.4
879.8	
	1,275.6
3,783.6	29,372.5

**TOTAL -- Administration**

	1.0	8.0
53.1	34.6	134.4
		283.1
53.1	35.6	425.5

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

151.2	667.9
2,752.6	12,977.4
879.8	15,727.2
3,783.6	29,372.5

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

		40.0
	1.0	
	1.0	40.0

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

	2,828.1
	22.1
	180.1
	77.2
	501.7
	38.6
	51.9
	3,699.7

**TOTAL -- Medical Examiner**

	1.0	40.0
	1.0	40.0

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

	3,699.7
	3,699.7

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

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Personnel				\$ Program		\$ Line Item		
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(35-05-00) Public Health</b>					
245.2	55.8	1,228.1			550.1	56,331.2		
						19.9		
					100.0	8,004.6		
						1,293.4		
					60.0	3,699.7		
						119.1		
					169.0			
					4,020.0			
					500.0			
					1,728.4			
					133.5			
					4,645.0			
					114.0			
						50.0		
					15.0			
					105.0			
					587.7			
					100.0	78.0		
					20.0			
						256.5		
					80.0	5,033.0		
						40.0		
						128.2		
						64.6		
					1,437.3			
					14.7			
					60.0			
					205.0			
					150.0			
					1,500.0			
					45.0			
					325.0			
					1,200.0			
					431.4			
					21.0			
					400.0			
					900.0			
					22.0			
					559.0			
					1,200.0			
						8.1		
245.2	55.8	1,228.1	<b>TOTAL -- Public Health</b>		21,398.1	75,126.3		
3.5	9.0	47.0	(-10) Director's Office/Support Services		1,620.9	3,352.3		
239.7	46.8	306.1	(-20) Community Health		18,970.7	26,316.4		
2.0		9.0	(-30) Emergency Medical Services		133.5	1,350.8		
		564.0	(-40) Delaware Hospital for the Chronically Ill		528.6	28,254.6		
		166.0	(-50) Emily Bissell		144.4	8,552.3		
		136.0	(-60) Governor Bacon			7,299.9		
245.2	55.8	1,228.1	<b>TOTAL -- Internal Program Units</b>		21,398.1	75,126.3		

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

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Personnel		
NSF	ASF	GF
4.8	7.0	785.4
4.8	7.0	785.4
2.0		49.0
1.0		116.0
0.8		586.4
1.0	7.0	34.0
4.8	7.0	785.4

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

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Tobacco Fund:  
     Transitional Housing for Detoxification  
     Heroin Residential Program  
     Delaware School Study  
     Limen House  
 Other Items:  
     TEFRA  
     SENTAC Treatment Initiatives  
     Sheltered Workshop  
     Patient Payment  
     DOC Assessments  
 Debt Service

**TOTAL -- Substance Abuse and Mental Health**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		367.6	40,714.3
			20.8
		1,643.3	27,894.1
			828.5
		100.6	5,389.2
		9.0	184.0
		200.0	
		500.0	
		47.6	
		75.0	
		1,000.0	
			1,564.6
			9.9
			28.2
		300.0	
			413.2
		4,243.1	77,046.8
60.0	3,663.2		
2,305.0	25,787.2		
169.0	36,961.8		
1,709.1	10,634.6		
4,243.1	77,046.8		

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

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(35-07-00) Social Services</b>	
312.3		278.7				14,989.0
						9.1
						5,998.4
						54.0
						103.9
						82.9
						7,874.3
						1,215.0
						508.7
						1,240.4
						355.0
						150.2
						249.0
						1,964.5
						3,755.4
						2,282.4
						1,200.0
						25,266.9
						798.9
						2,499.8
						383,372.9
						3,284.7
						600.0
						585.2
						1,370.0
						1,450.0
312.3		278.7			30,377.8	447,282.8
					<b>TOTAL -- Social Services</b>	
312.3		278.7	30,377.8	447,282.8		
312.3		278.7	30,377.8	447,282.8		
					<b>NSF</b>	
TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation					32,291.0	
					<b>(35-08-00) Visually Impaired</b>	
26.6	3.0	40.4			105.7	2,316.5
						3.1
					1.5	427.2
						46.9
						78.2
					4.0	39.1
						175.0
						450.0
						425.0
26.6	3.0	40.4			1,161.2	2,911.0
					<b>TOTAL -- Visually Impaired</b>	
26.6	3.0	40.4	1,161.2	2,911.0		
26.6	3.0	40.4	1,161.2	2,911.0		
					<b>(-01) Visually Impaired Services</b>	
					<b>TOTAL -- Internal Program Unit</b>	

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(35-09-00) Long Term Care Residents Protection</b>				
19.9		41.1	Personnel Costs				2,443.1
			Travel				12.3
			Contractual Services				559.4
			Energy				7.9
			Supplies and Materials				15.8
			Capital Outlay				20.3
19.9		41.1	<b>TOTAL -- Long Term Care Residents Protection</b>				3,058.8
19.9		41.1	(-01) Long Term Care Residents Protection		3,058.8		
19.9		41.1	<b>TOTAL -- Internal Program Unit</b>		3,058.8		
			<b>(35-10-00) Child Support Enforcement</b>				
140.8	27.2	46.0	Personnel Costs			1,288.4	2,525.9
			Travel			5.7	3.9
			Contractual Services			454.5	376.0
			Energy			20.0	9.5
			Supplies and Materials			23.0	9.8
			Capital Outlay			27.9	2.1
			Other Items:				
			Recoupment			25.0	
140.8	27.2	46.0	<b>TOTAL -- Child Support Enforcement</b>			1,844.5	2,927.2
140.8	27.2	46.0	(-01) Child Support Enforcement	1,844.5	2,927.2		
140.8	27.2	46.0	<b>TOTAL -- Internal Program Unit</b>	1,844.5	2,927.2		
			<b>(35-11-00) Developmental Disabilities Services</b>				
3.0	1.0	676.6	Personnel Costs			30.9	30,133.1
			Travel				22.6
			Contractual Services			1,300.0	3,727.9
			Energy				608.6
			Supplies and Materials				1,255.8
			Capital Outlay				146.6
			Tobacco Fund:				
			Family Support			70.0	
			Other Items:				
			Facility Repairs & Maintenance				30.0
			Music Stipends				9.6
			Assisted Living			150.0	
			Purchase of Care			1,108.0	22,931.0
			Purchase of Community Services				7,726.4
			Stockley Transition Plan				526.2
			Debt Service				15.7
3.0	1.0	676.6	<b>TOTAL -- Developmental Disabilities Services</b>			2,658.9	67,133.5
3.0	1.0	64.0	(-10) Administration	30.9	3,451.6		
		453.0	(-20) Stockley Center	150.0	23,943.7		
		159.6	(-30) Community Services	2,478.0	39,738.2		
3.0	1.0	676.6	<b>TOTAL -- Internal Program Units</b>	2,658.9	67,133.5		



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

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(35-12-00) State Service Centers</b>					
25.0		108.6	Personnel Costs				5,419.6	
			Travel			7.8	6.1	
			Contractual Services			319.7	1,658.6	
			Energy			154.2	554.1	
			Supplies and Materials			64.1	58.3	
			Capital Outlay			39.8	17.3	
			Other Items:					
			Family Support				389.4	
			Kent County RSVP				29.4	
			Community Food Program				128.5	
			Emergency Assistance				1,648.2	
			Kinship Care				50.0	
			Hispanic Affairs				50.0	
			Debt Service				254.7	
25.0		108.6	<b>TOTAL -- State Service Centers</b>			585.6	10,264.2	
10.3		74.3	(-10) Family Support		4,385.3			
		14.0	(-20) Service Center Management	585.6	2,040.0			
8.0		2.0	(-30) Community Services		2,047.1			
6.7		18.3	(-40) Volunteer Services		1,791.8			
25.0		108.6	<b>TOTAL -- Internal Program Units</b>	585.6	10,264.2			
			<b>(35-14-00) Services for Aging and Adults with Physical Disabilities</b>					
55.2		64.1	Personnel Costs				3,289.7	
			Travel				5.9	
			Contractual Services				5,503.7	
			Energy				12.7	
			Supplies and Materials				54.6	
			Capital Outlay				6.8	
			Tobacco Fund:					
			Assisted Living			351.2		
			Attendant Care			360.0		
			Caregivers Support			129.9		
			Other Items:					
			Community Services			261.0	3.0	
			Nutrition Program				789.9	
			Long Term Care				249.1	
55.2		64.1	<b>TOTAL -- Services for Aging and Adults with Physical Disabilities</b>			1,102.1	9,915.4	
55.2		64.1	(-01) Services for Aging and Adults with Physical Disabilities	1,102.1	9,915.4			
55.2		64.1	<b>TOTAL -- Internal Program Unit</b>	1,102.1	9,915.4			
			<b>TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES</b>			<b>67,154.9</b>	<b>728,738.2</b>	
<b>885.9</b>	<b>130.6</b>	<b>3,734.5</b>						



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

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Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			<b>(37-05-00) Youth Rehabilitative Services</b>					
7.5	22.0	380.1	Personnel Costs			1,198.1	20,669.4	
			Travel			10.5	19.3	
			Contractual Services			1,898.5	12,674.8	
			Energy				560.9	
			Supplies and Materials			84.0	871.1	
			Capital Outlay				17.5	
			Debt Service				2,412.1	
7.5	22.0	380.1	<b>TOTAL -- Youth Rehabilitative Services</b>			3,191.1	37,225.1	
			<b>(-10) Office of the Director</b>		57.6	716.4		
7.5	1.0	10.1	(-30) Community Services	1,758.7	16,239.6			
	6.0	89.5	(-50) Secure Care	1,374.8	20,269.1			
7.5	15.0	280.5	<b>TOTAL -- Internal Program Unit</b>	3,191.1	37,225.1			
7.5	22.0	380.1						
			<b>(37-06-00) Family Services</b>					
36.9	24.5	290.0	Personnel Costs			1,335.4	15,956.8	
			Travel			24.9	1.2	
			Contractual Services			2,168.6	1,154.8	
			Energy				9.9	
			Supplies and Materials			24.7	64.9	
			Capital Outlay			6.0	14.3	
			Child Welfare/Contractual Services				12,608.1	
			Pass Throughs				888.0	
			Other Items:					
			Emergency Material Assistance				31.0	
			DFS Decentralization			313.3		
36.9	24.5	290.0	<b>TOTAL -- Family Services</b>			3,872.9	30,729.0	
			<b>(-10) Office of the Director</b>		809.8	4,956.7		
25.9	3.0	53.6	(-30) Intake/Investigation	738.8	6,101.6			
1.0	13.0	98.4	(-40) Intervention/Treatment	2,324.3	19,670.7			
10.0	8.5	138.0	<b>TOTAL -- Internal Program Unit</b>	3,872.9	30,729.0			
36.9	24.5	290.0						
			<b>TOTAL -- DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES</b>				22,557.4	104,866.9
132.5	105.0	1,010.9						



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

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Personnel		
NSF	ASF	GF

	12.0	1,730.6
	12.0	1,730.6

		9.0
		25.0
		736.0
		401.0
		97.0
		377.0
		53.0
	12.0	19.0
		13.6
	12.0	1,730.6

**(38-04-00) Prisons**

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

**TOTAL -- Prisons**

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

\$ Program	
ASF	GF

	1,679.2
1.0	1,582.8
1.0	49,111.7
	24,082.3
2.7	6,947.3
	22,150.4
	4,866.8
3,314.1	1,154.4
1.0	1,355.4
3,319.8	112,930.3

\$ Line Item	
ASF	GF

753.0	89,044.2
9.0	13.5
848.4	3,132.1
10.2	5,177.2
1,322.2	3,199.8
177.0	25.0
	558.2
200.0	
	19.0
	42.3
	53.0
	23.0
	30.0
	11,613.0
3,319.8	112,930.3

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

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Personnel		
NSF	ASF	GF
		609.0
		609.0

**(38-06-00) Community Corrections**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Debt Service  
**TOTAL -- Community Corrections**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			33,484.6
			27.6
		380.0	3,586.9
			462.7
		25.0	607.4
			26.4
			905.1
		405.0	39,100.7

		16.0
		311.0
		39.0
		44.0
		32.0
		42.0
		47.0
		43.0
		35.0
		609.0

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

	1,928.0
350.0	19,453.3
	2,591.1
1.0	3,039.4
50.0	2,149.8
4.0	2,520.3
	3,241.8
	2,425.8
	1,751.2
405.0	39,100.7

**TOTAL -- DEPARTMENT OF CORRECTION**

	12.0	2,612.6
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3,749.8	208,969.1
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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
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

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

Personnel Costs	
Travel	
Contractual Services	
Energy	
Supplies and Materials	
Capital Outlay	
Other Items:	
Non-Game Habitat	
Ecological Restoration	
Coastal Zone Management	
Special Projects/Other Items	
Outdoor Delaware	
Wholebasin Management-TMDL	
Wholebasin Management-Admin.	
Green Energy Fund	
Debt Service	
<b>TOTAL -- Office of the Secretary</b>	
(-01) Office of the Secretary	
(-02) Planning and Compliance Assistance	
(-04) Energy Office	
(-05) Office of Information Technology	
<b>TOTAL -- Internal Program Units</b>	

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,462.9	2,984.1
		16.9	13.2
		296.8	63.1
		35.0	266.7
		72.8	43.2
		7.2	
		20.0	
			150.0
		15.0	
		55.0	
		105.0	
		314.7	1,216.1
			1.5
		850.0	
			28.8
		3,251.3	4,766.7
1,726.9	3,593.5		
99.9	361.5		
922.3	79.6		
502.2	732.1		
3,251.3	4,766.7		

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

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Personnel		
NSF	ASF	GF
31.2	34.4	61.4
31.2	34.4	61.4

**(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

**TOTAL -- Fish and Wildlife**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,374.5	4,022.6
		22.5	12.3
		745.7	931.0
		1.5	95.1
		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	
			1.5
		5,569.9	6,251.4

	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	182.2
4,132.0	1,616.3
357.1	2,061.3
219.5	453.5
735.4	1,938.1
5,569.9	6,251.4



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

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Personnel		
NSF	ASF	GF
1.0	67.0	106.0
1.0	67.0	106.0

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

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Other Items:
Killen's Pond Water Park
Biden Center
Other Items
Debt Service
<b>TOTAL -- Parks and Recreation</b>

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,913.8	5,865.2
		30.8	5.2
		1,954.5	924.5
		37.9	482.8
		886.1	321.9
		246.1	
		440.0	
		90.0	
		823.4	
			1,195.9
		9,422.6	8,795.5

	3.0	10.0
	41.0	47.0
	9.0	9.0
1.0	13.0	13.0
	1.0	27.0
1.0	67.0	106.0

(-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
<b>TOTAL -- Internal Program Units</b>

504.1	538.4
6,700.5	4,279.4
1,205.1	537.8
867.8	1,017.8
145.1	2,422.1
9,422.6	8,795.5

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

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
<b>TOTAL -- Soil and Water Conservation</b>

15.8	2.5	45.7
15.8	2.5	45.7

112.7	2,818.9
5.0	5.9
1,221.9	869.9
	25.2
44.0	201.6
39.0	
	225.0
8,000.0	95.0
	225.0
	931.8
9,422.6	5,398.3

1.5		4.5
0.5	2.5	12.0
1.8		25.2
2.0		3.0
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
<b>TOTAL -- Internal Program Units</b>

160.0	365.7
183.0	2,045.7
9,069.6	1,973.7
	939.9
10.0	73.3
9,422.6	5,398.3

\*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	69.0
28.1	63.9	69.0

**(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  
    Harmful Algal Bloom  
    SRF Future Administration  
    Board of Certification  
Debt Service

**TOTAL -- Water Resources**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,434.1	4,594.3
		38.0	40.2
		716.0	1,413.0
		1.0	9.1
		219.0	91.9
		241.0	40.0
			111.6
			38.0
		65.1	
			280.5
			40.0
		300.0	
		14.0	
			779.4
		4,028.2	7,438.0

10.1	11.7	8.2
0.5	24.5	16.0
2.0	8.0	6.0
5.0	12.0	9.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
28.1	63.9	69.0

(-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**

780.0	2,100.1
1,506.3	1,194.5
481.0	594.1
713.2	519.8
257.2	521.7
	2,115.3
290.5	392.5
4,028.2	7,438.0

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

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Personnel		
NSF	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  
    HSCA Cleanup  
    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

**TOTAL - Air and Waste Management**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,835.5	4,162.4
		78.0	16.7
		1,320.0	291.5
		10.0	98.7
		335.9	91.7
		242.0	4.9
		300.0	
		1,200.0	
		7,760.5	
		100.0	
		200.0	
		30.0	14.4
		350.0	
		100.0	
		54.8	
		180.9	
		525.8	
		164.8	
		141.2	
		50.0	
			50.0
		834.8	
			3.7
		16,814.2	4,734.0

3.0	13.5	11.5
17.2	45.0	12.8
44.2	31.8	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	1,069.3
3,373.5	1,181.4
10,844.7	1,793.3
1,236.7	690.0
16,814.2	4,734.0

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

147.1	291.9	381.0
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48,508.8	37,383.9
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**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

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Personnel		
NSF	ASF	GF
31.3	3.0	51.7
31.3	3.0	51.7

**(45-01-00) Office of the Secretary**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Police Training Council  
     Real Time Crime Reporting  
     Local Emergency Planning Councils  
     ITC Funds  
     System Support  
     Hazardous Waste Cleanup  
     Resale - Communication Parts  
     Other Items  
 Debt Service

**TOTAL -- Office of the Secretary**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		203.5	3,154.2
			8.0
		116.4	750.5
			49.9
			0.1
			15.0
			112.1
			50.0
			15.0
		244.5	
		100.0	
		85.0	
		0.7	
			464.7
		750.1	4,619.5

		18.0
	3.0	23.0
26.8		8.2
4.5		2.5
31.3	3.0	51.7

(-01) Administration  
 (-20) Communication  
 (-30) Delaware Emergency Management Agency  
 (-40) Highway Safety  
**TOTAL -- Internal Program Units**

100.0	1,497.1
650.1	1,932.8
	1,030.7
	158.9
750.1	4,619.5

**(45-02-00) Capitol Police**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
**TOTAL -- Capitol Police**

		65.0
		65.0

(-10) Capitol Police  
**TOTAL -- Internal Program Unit**

	2,930.1
	4.5
	270.8
	41.0
	30.9
	3,277.3
	3,277.3
	3,277.3

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

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<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>(45-03-00) Office of the Alcoholic Beverage Control Commissioner</b>				
		7.0	Personnel Costs				453.7
			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	479.3
		7.0	(-10) Office of the Alcoholic Beverage Control Commissioner	48.4	479.3		
		7.0	<b>TOTAL -- Internal Program Unit</b>	48.4	479.3		
			<b>(45-04-00) Division of Alcohol and Tobacco Enforcement</b>				
	2.0	13.0	Personnel Costs			51.3	768.0
			Travel			2.8	3.0
			Contractual Services			43.3	97.1
			Supplies and Materials			2.3	18.4
			Capital Outlay			2.0	3.0
	4.0		Tobacco:				
			Personnel Costs			235.0	
			Travel			20.0	
			Contractual Services			125.0	
			Supplies and Materials			89.0	
			Capital Outlay			30.0	
			Other Items			10.0	
	6.0	13.0	<b>TOTAL -- Division of Alcohol and Tobacco Enforcement</b>			610.7	889.5
	6.0	13.0	(-10) Division of Alcohol and Tobacco Enforcement	610.7	889.5		
	6.0	13.0	<b>TOTAL -- Internal Program Unit</b>	610.7	889.5		

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

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Personnel		
NSF	ASF	GF
31.2	44.1	779.7
	7.0	
31.2	51.1	779.7

**(45-06-00) State Police**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Other Items  
     DSP Recruitment  
     Pension - 20 Year Retirees  
     Crime Reduction Fund  
     Career Development  
     Handicapped/Fire Lane Enforcement  
     Special Duty Fund  
     Truck Enforcement Unit  
 Debt Service

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,538.0	62,448.7
		146.8	43.3
		699.3	2,998.2
		775.3	2,352.3
		67.0	1,506.8
		87.5	
			50.0
			21,255.0
			110.0
			15.0
			90.0
		2,488.7	
		624.6	
			1,346.9
		7,427.2	92,216.2

**TOTAL -- State Police**

		60.0
		8.0
	16.6	330.4
26.0		150.0
	7.0	36.0
		24.0
4.2	11.0	12.8
	13.0	32.0
		12.0
	3.5	88.5
		14.0
1.0		12.0
31.2	51.1	779.7

(-01) Executive  
 (-02) Building Maintenance & Construction  
 (-03) Patrol  
 (-04) Criminal Investigation  
 (-05) Special Investigation  
 (-06) Aviation  
 (-07) Traffic  
 (-08) State Bureau of Identification  
 (-09) Training  
 (-10) Communications  
 (-11) Transportation  
 (-12) Community Relations  
**TOTAL - Internal Program Units**

554.6	26,647.7
	1,504.8
2,872.0	29,319.7
619.0	13,103.2
951.4	4,034.9
	2,948.2
906.2	950.1
982.0	1,909.6
131.0	1,613.6
180.5	5,983.1
174.7	3,418.3
55.8	783.0
7,427.2	92,216.2

**TOTAL -- DEPARTMENT OF**

<b>62.5</b>	<b>60.1</b>	<b>916.4</b>
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**SAFETY AND HOMELAND SECURITY**

<b>8,836.4</b>	<b>101,481.8</b>
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**(55-00-00) DEPARTMENT OF TRANSPORTATION**

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Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

**(55-01-00) Office of the Secretary**

**(55-01-01) Office of the Secretary**

	11.0	
	11.0	

Personnel Costs	837.2
Operations/Capital	29.7
Salary Contingency	4,049.0
<b>TOTAL -- Office of the Secretary</b>	<b>4,915.9</b>

**(55-01-02) Finance**

1.0	37.0	
1.0	37.0	

Personnel Costs	2,132.0
Operations/Capital	1,136.0
<b>TOTAL -- Finance</b>	<b>3,268.0</b>

**(55-01-03) Public Relations**

	14.0	
	14.0	

Personnel Costs	833.6
Operations/Capital	112.2
<b>TOTAL -- Public Relations</b>	<b>945.8</b>

**(55-01-04) Human Resources**

	26.0	
	26.0	

Personnel Costs	1,348.6
Travel	2.3
Capital Outlay	1.0
Contractual/Supplies	705.5
<b>TOTAL -- Human Resources</b>	<b>2,057.4</b>

**TOTAL -- Office of the Secretary**

1.0	88.0	
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<b>11,187.1</b>
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**(55-02-00) Technology and Support Services**

**(55-02-01) Administration**

1.0	37.0	
1.0	37.0	

Personnel Costs	1,940.4
Travel	25.7
Energy	516.5
Capital Outlay	18.0
Contractual/Supplies	1,329.1
<b>TOTAL -- Administration</b>	<b>3,829.7</b>

**(55-02-03) Office of Information Technology**

	56.0	
	56.0	

Personnel Costs	3,927.3
Travel	25.3
Capital Outlay	842.9
Contractual/Supplies	7,111.1
<b>TOTAL -- Office of Information Technology</b>	<b>11,906.6</b>

**TOTAL -- Technology and Support Services**

1.0	93.0	
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<b>15,736.3</b>
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**(55-03-00) Planning**

**(55-03-01) Planning**

	72.0	19.0
	72.0	19.0

Personnel Costs	4,637.0
Operations/Capital	1,353.2
<b>TOTAL -- Planning</b>	<b>5,990.2</b>

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

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Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

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

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

	27.0	
	27.0	

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

1,603.5
94.6
1,698.1

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

	725.0	26.0
	725.0	26.0

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

33,245.3
1,463.6
234.5
15,463.0
3,041.0
53,447.4

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

	140.0	
	140.0	

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

6,494.7
26.0
495.2
91.0
2,304.6
5,440.0
14,851.5

	892.0	26.0
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**TOTAL -- Maintenance and Operations**

69,997.0
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\* The Cumulative Turnpike Operating Reserve Fund is established at \$1,399.4.



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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-06-01) Delaware Transportation Authority</b>	
			Delaware Transit Corporation	
	3.0		Transit Administration	8,082.1
			Transit Operations Planning and Customer	2,028.5
			Transit Operations	46,928.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	131.2
			Kent and Sussex Transportation "E & H"	1,394.3
			<b>Total -- Delaware Transit Corporation</b>	<b>58,713.3</b>
			DTA Indebtedness	
			Debt Service	
			General Obligation	672.8
			Transportation Trust Fund	92,970.0
			<b>Total -- DTA Indebtedness</b>	<b>93,642.8</b>
	3.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>152,356.1</b>
* Delaware Transportation Authority, 2 Del. C. c. 13.				
These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.				
			<b>(55-08-00) Transportation Solutions</b>	
			<b>(55-08-10) Project Teams</b>	
	54.0	89.0	Personnel Costs	3,820.8
	54.0	89.0	<b>TOTAL -- Project Teams</b>	<b>3,820.8</b>
			<b>(55-08-20) Design/Quality</b>	
	15.0	30.0	Personnel Costs	1,237.5
	15.0	30.0	<b>TOTAL -- Design/Quality</b>	<b>1,237.5</b>
			<b>(55-08-30) Engineering Support</b>	
	51.0	63.0	Personnel Costs	3,510.1
			Travel	51.5
			Capital Outlay	60.1
			Contractual/Supplies	252.5
	51.0	63.0	<b>TOTAL -- Engineering Support</b>	<b>3,874.2</b>
			<b>(55-08-40) Traffic</b>	
	84.0		Personnel Costs	4,854.4
			Energy	552.3
			Capital Outlay	22.7
			Contractual/Supplies	1,005.1
	84.0		<b>TOTAL -- Traffic</b>	<b>6,434.5</b>
	204.0	182.0	<b>TOTAL -- Transportation Solutions</b>	<b>15,367.0</b>

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

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Personnel		
NSF	TFO	TFC

	20.0	
	20.0	

3.0	73.0	
3.0	73.0	

	136.0	
	136.0	

1.0	21.0	
1.0	21.0	

4.0	250.0	
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6.0	1,602.0	227.0
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**(55-11-00) Motor Vehicles**  
**(55-11-10) Administration**

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

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

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

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

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

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

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

**TOTAL -- Motor Vehicles**

**TOTAL -- DEPARTMENT OF TRANSPORTATION**

\$ Line Item
TFO

1,171.2
10.1
815.8
15.4
0.1
200.0
1.0
2,213.6

3,078.1
82.0
26.3
207.3
3,393.7

5,794.3
10.0
1,117.2
889.9
464.0
6.0
25.0
150.0
8,456.4

1,075.6
25.0
290.2
29.1
1,419.9

15,483.6
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286,117.3
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**(60-00-00) DEPARTMENT OF LABOR**

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Personnel		
NSF	ASF	GF
13.5	29.7	8.8
13.5	29.7	8.8

**(60-01-00) Administration**

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

**TOTAL -- Administration**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

1,806.6	688.4
16.0	5.4
924.8	281.4
57.4	17.8
50.5	2.0
10.0	
2,865.3	995.0

13.5	10.7	1.3
13.5	19.0	1.0
13.5	29.7	8.8

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

1,140.5	416.3
	139.7
10.0	334.1
1,714.8	104.9
2,865.3	995.0

**(60-06-00) Unemployment Insurance**

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

**TOTAL -- Unemployment Insurance**

135.0	4.0
135.0	4.0

172.4	
0.1	
192.4	
1.0	
2.0	
7.2	
61.9	
437.0	

135.0	4.0
135.0	4.0

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

437.0	
437.0	

**(60-07-00) Industrial Affairs**

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

**TOTAL -- Industrial Affairs**

9.0	55.0
9.0	55.0

3,055.6	
30.8	
915.0	
41.0	
36.6	
6,000.0	
10,079.0	

6.0	35.0
3.0	20.0
9.0	55.0

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

8,906.3	
1,172.7	
10,079.0	

**(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
<b>TOTAL -- Vocational Rehabilitation</b>

\$ Program	
ASF	GF
851.9	2,616.4
851.9	2,616.4

\$ Line Item	
ASF	GF
376.2	80.7
	0.3
400.7	2,138.8
75.0	76.9
	306.7
	13.0
851.9	2,616.4

(-10) Vocational Rehabilitation Services
(-20) Disability Determination Services
<b>TOTAL -- Internal Program Units</b>

**(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
<b>TOTAL -- Employment and Training</b>

2,558.6	2,881.3
2,558.6	2,881.3

188.4	1,016.1
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	2,881.3

(-20) Employment and Training Services
<b>TOTAL -- Internal Program Unit</b>

89.9	4.0	24.1
89.9	4.0	24.1
369.4	98.7	34.9

**TOTAL -- DEPARTMENT OF LABOR**

16,791.8	6,492.7
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**(65-00-00) DEPARTMENT OF AGRICULTURE**

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Personnel		
NSF	ASF	GF
17.2	37.5	85.3
17.2	37.5	85.3

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,706.6	5,033.3
Travel			84.1	37.9
Contractual Services			593.0	443.8
Energy			17.8	93.0
Supplies and Materials			168.1	144.9
Capital Outlay			252.0	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			6.0	
Fingerprinting			110.5	
Equine Drug Testing			820.0	
County Rollback			41.7	
Debt Service				82.6
<b>TOTAL -- Agriculture</b>			<b>4,814.8</b>	<b>7,019.7</b>

	1.0	19.0
		7.0
7.2	13.5	6.3
4.5	3.5	17.0
1.0	5.0	
3.0	6.0	
		4.0
1.0	0.5	13.5
		7.0
	6.0	
		8.0
0.5		3.5
	2.0	
17.2	37.5	85.3

(-01) Administration	319.5	1,765.2
(-02) Agriculture Compliance	12.2	395.1
(-03) Food Products Inspection	889.0	395.5
(-04) Forest Service	588.0	1,022.0
(-05) Harness Racing Commission	1,177.8	
(-06) Pesticides	420.2	
(-07) Planning		352.0
(-08) Plant Industries	117.2	956.0
(-09) Poultry and Animal Health		473.9
(-10) Thoroughbred Racing Commission	1,213.9	
(-11) Weights and Measures		482.9
(-12) Nutrient Management		1,177.1
(-13) Agricultural Lands Preservation Foundation	77.0	
<b>TOTAL -- Internal Program Units</b>	<b>4,814.8</b>	<b>7,019.7</b>

**TOTAL -- DEPARTMENT OF AGRICULTURE**

17.2	37.5	85.3
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4,814.8	7,019.7
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**(75-00-00) FIRE PREVENTION COMMISSION**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(75-01-01) Office of the State Fire Marshal</b>			
	29.2	23.8			1,460.8	1,534.3
					34.0	
					365.3	107.1
						47.1
					71.0	37.5
					281.1	10.8
					1.5	
						2.0
						192.5
	29.2	23.8	<b>TOTAL -- Office of the State Fire Marshal</b>		2,213.7	1,931.3
			<b>(75-02-01) State Fire School</b>			
		17.0				1,043.7
						384.0
						158.9
						75.0
					50.0	
						5.0
						10.0
						70.0
						236.5
		17.0	<b>TOTAL -- State Fire School</b>		50.0	1,983.1
			<b>(75-03-01) State Fire Prevention Commission</b>			
		1.0				54.7
						25.5
						25.0
						2.6
						100.0
						6.2
					7.0	10.0
					4.0	
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>		11.0	224.0
	29.2	41.8	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>		2,274.7	4,138.4

**(76-00-00) DELAWARE NATIONAL GUARD**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(76-01-01) Delaware National Guard</b>	
77.8		30.5				2,374.6
						6.7
						250.4
						499.8
					12.5	91.5
						3.0
						490.0
						12.2
						143.9
<b>77.8</b>		<b>30.5</b>	<b>TOTAL -- DELAWARE NATIONAL</b>		<b>12.5</b>	<b>3,872.1</b>
			<b>GUARD</b>			



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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

		2.0
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Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

	104.9
	6.0
	11.2
	3.1

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

		2.0
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	125.2
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**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(90-01-00) University of Delaware**

**(90-01-01) University of Delaware**

Operations		92,695.7
Scholarships		8,462.6
Agricultural Programs		3,890.4
Other Programs		9,239.5
The College School		87.7
Debt Service		4,329.5
<b>TOTAL -- University of Delaware</b>		<b>118,705.4</b>

**(90-01-02) Delaware Geological Survey**

Operations		1,404.2
River Master Program		83.0
<b>TOTAL -- Delaware Geological Survey</b>		<b>1,487.2</b>

**TOTAL -- University of Delaware**

	120,192.6
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**(90-03-00) Delaware State University**

**(90-03-01) Operations**

Operations		27,520.1
Administrative Computing		125.0
Work Study		211.7
Faculty Development		57.0
Mishoe Scholarships		50.0
Cooperative Extension		154.3
Cooperative Research		238.6
Title VI Compliance		220.0
Academic Incentive		50.0
General Scholarships		506.0
Athletic Grant		133.1
Aid to Needy Students		992.8
Energy		1,509.3
Debt Service		4,517.6
<b>TOTAL -- Operations</b>		<b>36,285.5</b>

**(90-03-05) Sponsored Programs and Research**

**TOTAL -- Delaware State University**

	36,285.5
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**(90-00-00) HIGHER EDUCATION**

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

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

12.0		43.0
12.0		43.0

Personnel Costs		6,318.5
Contractual Services		83.1
Energy		25.5
Occupational Teacher Program		36.8
Academic Incentive		50.0
Associate in Arts Program - Operations		276.6
Associate in Arts Program - Academic		1,517.1
Debt Service		409.1
<b>TOTAL -- Office of the President</b>		<b>8,716.7</b>

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

59.0		192.0
59.0		192.0

Personnel Costs		14,213.0
Energy		332.6
Grants		48.2
Aid to Needy Students		204.8
Work Study		31.2
Debt Service		1,547.0
Day Care Training		16.8
Para-educator Technology Program		55.1
<b>TOTAL -- Owens Campus</b>		<b>16,448.7</b>

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

52.0		156.0
52.0		156.0

Personnel Costs		11,182.5
Energy		368.9
Aid to Needy Students		159.8
Grants		32.5
Work Study		40.1
Debt Service		1,369.0
Dental Program		78.8
Day Care Training		17.2
<b>TOTAL -- Wilmington Campus</b>		<b>13,248.8</b>

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

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Personnel		
NSF	ASF	GF
69.0		186.0
69.0		186.0

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

Personnel Costs		13,907.4
Energy		165.4
Aid to Needy Students		144.8
Grants		27.5
Work Study		41.1
Debt Service		67.0
<b>TOTAL -- Stanton Campus</b>		<b>14,353.2</b>

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

76.9		126.0	Personnel Costs		8,717.8
			Contractual Services		206.7
			Energy		366.0
			Aid to Needy Students		178.3
			Work Study		21.7
			Grants		21.0
			Debt Service		384.5
			Day Care Training		6.0
76.9		126.0	<b>TOTAL -- Terry Campus</b>		<b>9,902.0</b>

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

268.9		703.0			62,669.4
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**(90-07-01) Delaware Institute of Veterinary  
Medical Education**

			Tuition Assistance		204.6
			<b>TOTAL -- Delaware Institute of Veterinary Medical Education</b>		<b>204.6</b>

**TOTAL -- HIGHER EDUCATION**

268.9		703.0			219,352.1
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**(95-00-00) DEPARTMENT OF EDUCATION**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(95-03-00) Block Grants and Pass Through Programs</b>						
						8,484.9
						8,400.5
						32,494.6
						9.6
						70.8
						250.0
						87.3
						198.8
						195.2
						262.4
						132.4
						94.3
						193.8
						279.8
						556.0
						265.0
						487.0
						571.3
						48.5
						260.0
						4.8
						194.0
						123.0
						5,278.3
		1.0				2,979.4
	1.0				890.7	11,372.0
						469.9
						2,597.0
						36.0
	1.0				850.0	
						40.0
						472.1
						16,215.4
						10,428.0
						1,000.0
		32.7				2,793.5
						200.0
						7,305.9
						314.5
						1,311.7
	1.0	12.0			61.1	1,602.3
	3.0	45.7				
<b>TOTAL -- Block Grants and Pass Through Programs</b>						
					1,801.8	118,080.0
						49,380.0
						4,284.0
	2.0	33.7		1,740.7		62,813.7
	1.0	12.0		61.1		1,602.3
	3.0	45.7		1,801.8		118,080.0
<b>TOTAL -- Internal Program Units</b>						





1 **Personnel**

2	<b>TFO</b>	<b>TFC</b>	<b>NSF</b>	<b>ASF</b>	<b>GF</b>
---	------------	------------	------------	------------	-----------

\$

	<b>TFO</b>	<b>ASF</b>	<b>GF</b>
--	------------	------------	-----------

3

4 **TOTALS**

5

6	1,602.0	227.0	1,822.0	1,513.4	11,430.7
7			268.9		703.0
8			69.8	9.0	11,147.9
9					
10					
11					
12	<b>1,602.0</b>	<b>227.0</b>	<b>2,160.7</b>	<b>1,522.4</b>	<b>23,281.6</b>

**TOTAL - DEPARTMENTS**

**TOTAL - HIGHER EDUCATION**

**TOTAL - PUBLIC EDUCATION**

**GRAND TOTAL**

286,117.3	468,897.7	1,581,394.6
		219,352.1
	3,961.1	943,414.5
<b>286,117.3</b>	<b>472,858.8</b>	<b>2,744,161.2</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 2006, the  
18 proposed budget plan, as prepared by the Director of the Office of Management and Budget, shall be in  
19 such a format that it can readily be 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 2006, the payroll recovery rate for the Worker's Compensation Program shall  
23 be 1.60 percent.

24       (d) For Fiscal Year 2006, the payroll recovery rate for the Deferred Compensation Program shall  
25 be .13 percent. This rate shall be combined with the Fiscal Year 2006 payroll recovery rate for Worker's  
26 Compensation. An amount equal to thirteen one-hundredths (.0013) of the total payroll recovery shall be  
27 transferred from the Office of Management and Budget to the Office of the State Treasurer after each pay

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

3 (e) Section 1 of this Act provides funding for a state employee pension rate of 14.75 percent.  
4 The components of the rate are 6.12 percent for the pension liability, 6.30 percent for retiree health  
5 insurance costs, and 2.33 percent for the Post-retirement Increase Fund.

6 (f) Section 1 of this Act provides funding for a judicial pension rate of 27.74 percent.

7 (g) Section 1 of this Act provides funding for a new State Police pension rate of 15.78 percent.

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

10 GF – General Fund

11 ASF – Appropriated Special Funds

12 NSF – Non-appropriated Special Funds

13 TFO – Trust Fund Operations

14 TFC – Trust Fund Capital

15 FTE – Full-Time Equivalent

16 (i) All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2005.

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

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

24 (i) The defined labor market survey for Fiscal Year 2006 shall be limited to those  
25 governments and institutions of higher education as follows:

<b><u>Delaware</u></b>	<b><u>Other Counties and Municipalities</u></b>	<b><u>Other States</u></b>
New Castle County	Cecil County, Maryland	Maryland
Kent County	Kent County, Maryland	Pennsylvania

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

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

(iii) The findings of the survey in Section 8(a) for Fiscal Year 2006 shall be calculated in the same manner as Fiscal Year 2005, using a comparable weighting formula and other components.

Effective July 1, 2005, 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>
18	1	16,839**	19,942	23,930
19	2	17,071	21,338	25,606
20	3	18,269	22,837	27,404
21	4	19,544	24,430	29,316
22	5	20,916	26,145	31,373
23	6	22,379	27,974	33,568
24	7	23,943	29,928	35,913
25	8	25,619	32,024	38,429
26	9	27,416	34,269	41,122
27	10	29,333	36,667	44,001
28	11	31,384	39,230	47,076
29	12	33,583	41,978	50,374
30	13	35,935	44,918	53,901
31	14	38,445	48,056	57,668
32	15	41,140	51,424	61,709
33	16	44,021	55,027	66,033
34	17	47,102	58,878	70,653
35	18	50,397	62,996	75,595
36	19	53,925	67,407	80,888
37	20	57,705	72,130	86,556
38	21	61,741	77,176	92,612
39	22	66,062	82,578	99,094

1	23	70,688	88,361	106,033
2	24	75,640	94,550	113,460
3	25	80,932	101,165	121,397
4	26	86,596	108,246	129,895

5 \* - Annual Salary in Whole Dollars.

6 \*\* - Minimum State Salary.

7 **STATE OF DELAWARE PAY PLAN\***

8 **(Standard Work Schedule of 40 Hours per Work Week)**

9	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
10	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
11	1	17,017	21,271	25,526
12	2	18,209	22,761	27,314
13	3	19,484	24,355	29,225
14	4	20,847	26,058	31,269
15	5	22,308	27,886	33,463
16	6	23,869	29,836	35,803
17	7	25,540	31,925	38,310
18	8	27,329	34,161	40,993
19	9	29,241	36,552	43,862
20	10	31,288	39,110	46,932
21	11	33,475	41,845	50,214
22	12	35,821	44,777	53,733
23	13	38,329	47,910	57,492
24	14	41,013	51,266	61,519
25	15	43,882	54,854	65,825
26	16	46,957	58,696	70,435
27	17	50,241	62,801	75,362
28	18	53,757	67,197	80,636
29	19	57,522	71,902	86,282
30	20	61,550	76,938	92,325
31	21	65,859	82,324	98,789
32	22	70,470	88,087	105,705
33	23	75,399	94,249	113,099
34	24	80,680	100,849	121,019
35	25	86,327	107,908	129,489
36	26	92,369	115,462	138,555

37 \* - Annual Salary in Whole Dollars.

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

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

- 1 Toll Collection Supervisor
- 2 Transportation Management Center
- 3 Toll Corporals
- 4 Toll Sergeants

5 (v) During the fiscal year ending June 30, 2006, the Director of the Office of Management  
6 and Budget and the Controller General may designate other appropriate classes or groups  
7 of employees to work and be paid according to a standard work week of 40 hours. Such  
8 designation shall be based upon the operational necessity of agencies to require  
9 employees to regularly and consistently work in excess of 37.5 hours per week and upon  
10 the availability of any required funding.

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

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

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

19 (2) Upon receipt of the identified classes, the Director of the Office of Management and  
20 Budget shall survey the appropriate labor market to determine the State's position in this  
21 labor market.

22 (3) The Director of the Office of Management and Budget and the Controller General shall  
23 review the information provided in Sections 8(b)(1) and (2) and shall recommend  
24 approval or disapproval for the classes for selective market compensation variations.

25 (4) Any such selective market variations that the Director of the Office of Management and  
26 Budget and the Controller General have determined to be warranted and have been  
27 approved by the Joint Finance Committee shall be designated to become effective July 1,

1                   2005, provided that such variations have been processed as part of the regular budgetary  
2                   process and the funds for such changes shall be appropriated.

3                   (5) The Director of the Office of Management and Budget and the Controller General shall  
4                   establish criteria to allow for selective market variations to be effective January 1, 2006.  
5                   An appointing authority may apply for selective market variation for January 1, 2006 for  
6                   job classes or job families that are experiencing severe recruitment and retention issues.  
7                   Funds must be available within the agency budget to fund the selective market variation  
8                   until such time as the General Assembly appropriates the necessary funds.

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

17                 (7) Employees assigned to job classifications approved under the Selective Market Variation  
18                 Program shall have their salaries adjusted in accordance with the following:

19                 (i) The salary of employees in positions added to the Selective Market Variation  
20                 Program on or after July 1, 2005, prior to the application of the salary increase  
21                 outlined in Section 8(c)(1), whose salary in effect as of June 30, 2005 is below the  
22                 adjusted minimum salary for the assigned job classification shall be increased to the  
23                 adjusted minimum salary or an advanced starting salary recommended by the  
24                 Director of the Office of Management and Budget. If such an increase does not yield  
25                 at least a five percent increase, the salary will be further adjusted to yield a total  
26                 increase of five percent. This procedure applies only to employees newly approved  
27                 for Selective Market variation on or after January 1, 2005.



1 (ii) The salary of employees in positions added to the Selective Market Variation  
2 Program before June 30, 2005, after the application of the salary increase outlined in  
3 Section 8(c)(1), whose salary in effect as of June 30, 2005, is below the adjusted  
4 minimum salary for the assigned job classification shall be increased to the adjusted  
5 minimum salary or an advanced starting salary recommended by the Director of the  
6 Office of Management and Budget. The salary of employees whose current salary  
7 falls within the adjusted salary range shall not be increased.

8 (8) All classes assigned to selective market variation who have not met the criteria to qualify  
9 for an adjustment for two consecutive years shall have their midpoints reduced by seven  
10 percent effective July 1, 2005. All classes whose selective market midpoint is not seven  
11 percent higher than the midpoint of the regular merit State of Delaware pay scale once  
12 the general increase has been applied shall move back onto the State of Delaware Pay  
13 Plan. The process by which job classes are removed from selective market variation to  
14 the regular merit State of Delaware Pay Plan will not result in a reduction in salary for  
15 current incumbents who will move from selective market variation to the regular merit  
16 State of Delaware Pay Plan.

17 (9) Effective July 1, 2005, the shift differential rates paid to registered nurses in accordance  
18 with the provisions of Merit Rule 4.15 shall be the same amount in effect as of June 30,  
19 2000.

20 **(c) SALARY INCREASES FOR FISCAL YEAR 2006.**

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

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

26 (i) Effective July 1, 2005, the salary of each employee shall be increased by two percent or  
27 \$1,100.00, whichever is greater.

1 (ii) Effective January 1, 2006, the salary of each Merit System employee and each exempt  
2 employee whose position has been given a comparable classification rating and not  
3 otherwise set forth as a line item salary in this Act, who have been on the payroll as of  
4 July 1, 2005 and whose salary, as of December 31, 2005, is below the maximum of the  
5 assigned pay grade, shall be increased by the lesser of an amount equal to the dollar  
6 value of 2 percent of the midpoint for the assigned pay grade or by an amount which  
7 would increase the employee's salary to the maximum for the assigned paygrade.

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

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

15 (ii) The provisions of Subsection (c) of this Section shall not apply to the Governor,  
16 members of the General Assembly, Deputy Attorneys General covered by the attorney  
17 pay plan, Assistant Public Defenders covered by the attorney pay plan, DNREC  
18 employees covered by the competency-based pay plan, Uniformed State Police, all  
19 full-time and regular part-time non-merit Telecommunications Specialists, Senior  
20 Telecommunications Central Control Specialists and Telecommunications Central  
21 Control Shift Supervisors employed in the Communications Section of the Division of  
22 State Police in the Department of Safety and Homeland Security, employees of the  
23 Department of Technology and Information, employees of the University of Delaware,  
24 Delaware State University and members and employees of the Delaware National  
25 Guard, excluding the Adjutant General. Funds have been appropriated in Section 1 of  
26 this Act for Delaware State University and for the University of Delaware to provide  
27 for an increase in salaries paid from General Funds.

- 1 (iii) Any Merit System employee who is denied the salary increase referred to in Section  
2 8(c)(1)(i) and (ii) due to an unsatisfactory performance rating in accordance with  
3 Merit Rule 13.3 shall become eligible for the salary increase upon meeting job  
4 requirements as defined by their supervisor, but the salary increase will not be  
5 retroactive.
- 6 (iv) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any Merit System  
7 employee who is covered by the Competency-based Pay Plan provided to the  
8 Controller General's Office on June 8, 1998 shall receive a 2 percent salary increase  
9 effective July 1, 2005. This plan shall continue in Fiscal Year 2006 as it was  
10 established in 71 Del. Laws, c. 354, § 247. In addition, the salary levels established  
11 in the Competency-based Pay Plan shall be increased by 2 percent effective July 1,  
12 2005.
- 13 (v) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any attorney covered under  
14 the salary matrices approved for the Office of the Attorney General and the Public  
15 Defender shall receive a 2 percent salary increase effective July 1, 2005. In Fiscal  
16 Year 2006, the salary plans approved for the Office of the Attorney General and  
17 Public Defender shall continue as established. In addition, the salary matrices  
18 approved for said plans shall be increased by 2 percent effective July 1, 2005.
- 19 (3) The amount appropriated by Section 1 of this Act for salaries provides increases for:
- 20 (i) Statutory step increases for Department of Education and Delaware Technical and  
21 Community College plans A and D, as provided in Title 14;
- 22 (ii) Negotiated, collective bargaining increases for Uniformed members of the Delaware  
23 State Police and full-time and regular part-time non-merit Telecommunications  
24 Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
25 Supervisors, Telecommunication Central Control Specialists, Senior  
26 Telecommunications Central Control Specialists and Telecommunications Central  
27 Control Shift Supervisors employed in the Communications Section of the Division  
28 of State Police in the Department of Safety and Homeland Security; and

1 (iii) Federal salary plan increases for Delaware National Guard employees.

2 (4) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the Attorney  
3 General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for salary  
4 matrices as approved by the Joint Finance Committee, notwithstanding Chapters 4.000 and  
5 5.000 of the Merit Rules. These salary matrices are intended to maintain the salaries of  
6 these attorneys at competitive rates. A committee consisting of the Attorney General, the  
7 Director of the Office of Management and Budget and the Controller General will  
8 biannually review the Attorney General Salary Plan. A committee consisting of the Public  
9 Defender, the Director of the Office of Management and Budget and the Controller General  
10 will biannually review the Public Defender Salary Plan.

11 **(d) MAINTENANCE REVIEWS.**

12 (1) Any such reclassifications/regrades that the Director of the Office of Management and  
13 Budget determines to be warranted as a result of the classification maintenance reviews  
14 regularly scheduled by the Office of Management and Budget shall be designated to  
15 become effective July 1, 2005, provided that such reclassifications/regrades have been  
16 processed as part of the regular budgetary process and the funds for such  
17 reclassifications/regrades have been appropriated. Maintenance review classification  
18 determinations may be appealed to the Merit Employee Relations Board in accordance  
19 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

20 (2) Any such title changes that the Director of the Office of Management and Budget  
21 determines to be warranted as a result of a consolidation review shall be implemented as  
22 they are completed with the concurrence of the Controller General. A consolidation  
23 review is for the specific purpose of combining current class titles and class  
24 specifications that are in the same occupational area and require sufficiently similar  
25 knowledge, skills, abilities and minimum qualifications. A consolidation review will not  
26 impact the current levels of work and corresponding pay grades in a class series. It will  
27 only affect the current title assigned to positions; the corresponding class specification,

1 levels of work and minimum qualifications will be written general in nature rather than  
2 agency or program specific.

3 **(e) CRITICAL RECLASSIFICATIONS.**

4 The classification of any position whose salary is covered by the appropriations in Section 1 of  
5 this Act may be changed to be effective January 1, 2006 or July 1, 2006 if the requested change is  
6 certified critical by the appointing authority and is approved by the Director of the Office of Management  
7 and Budget and the Controller General prior to the effective date. Critical reclassification requests and  
8 pay grade determinations shall not be appealed to the Merit Employee Relations Board.

9 **(f) OTHER RECLASSIFICATIONS.**

10 Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no  
11 position shall be reclassified or regraded during the fiscal year ending June 30, 2006.

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

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

18 **(h) ADMINISTRATIVE REGULATIONS.**

19 (1) The administrative regulations and procedures necessary to implement this Section shall  
20 be promulgated by the Director of the Office of Management and Budget and the  
21 Controller General.

22 (2) Consistent with Chapter 13 of the Merit Rules, all state agencies shall implement the  
23 performance review prescribed by the Office of Management and Budget after applicable  
24 training by the Office of Management and Budget. A performance review shall be  
25 completed for employees between January 1 and December 31, 2006.

26 (3) Employees who retain salary upon voluntary demotion in accordance with Merit Rule 4.7  
27 shall be ineligible for a promotional increase upon promotion to a pay grade lower than

1 or equal to their original pay grade prior to voluntary demotion for a one year period from  
2 the date of their voluntary demotion.

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

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

10 **(j) OVERTIME FOR WEATHER-RELATED EMERGENCIES.**

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

19 (2) Office of Management and Budget, Facilities Management and Department of Health and  
20 Social Services, Management Services personnel who respond to weather-related  
21 emergencies and who are not covered under the Fair Labor Standards Act shall be  
22 entitled to receive compensation at their straight time rate of pay for all overtime services  
23 performed beyond the normal work week. The method of compensation is subject to the  
24 availability of funds and/or the operational needs of the respective department.

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

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

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

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

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

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

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

9                   “The base salary amount for this section, for the fiscal year ending June 30, 2006, shall be  
10                   \$25,421.”

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

13	<b>"Years of</b>					
14	<b>Experience</b>	<b>Clerk</b>	<b>Secretary</b>	<b>Senior Secretary</b>	<b>Financial Secretary</b>	<b>Administrative Secretary</b>
15	0	13,827	15,350	16,178	16,635	17,394
16	1	14,384	15,907	16,692	17,152	17,917
17	2	14,939	16,419	17,207	17,670	18,442
18	3	15,497	16,932	17,721	18,186	18,965
19	4	16,018	17,444	18,236	18,703	19,550
20	5	16,511	17,957	18,751	19,246	20,141
21	6	17,002	18,469	19,296	19,830	20,734
22	7	17,494	18,979	19,878	20,413	21,324
23	8	17,987	19,553	20,458	20,997	21,917
24	9	18,479	20,132	21,039	21,580	22,507
25	10	18,971	20,709	21,618	22,166	23,099
26	11	19,522	21,287	22,198	22,749	23,690
27	12	20,077	21,864	22,780	23,331	24,282
28	13	20,633	22,443	23,361	23,916	24,873
29	14	21,189	23,021	23,940	24,501	25,463
30	15	21,745	23,600	24,521	25,082	26,058
31	16	22,300	24,176	25,102	25,665	26,649
32	17	22,858	24,755	25,684	26,250	27,239
33	18	23,412	25,333	26,264	26,832	27,831
34	19	23,968	25,912	26,844	27,419	28,423
35	20	24,522	26,489	27,424	28,002	29,013
36	21	25,091	27,080	28,017	28,598	29,618
37	22	25,674	27,685	28,624	29,207	30,236”

1 (3) Amend 14 Del. C. § 1311(a), by striking the salary schedule contained in said subsection in its

2 entirety and by substituting in lieu thereof the following:

3				<b>Chief</b>	<b>Chief</b>		
4				<b>Custodian</b>	<b>Custodian</b>		
5				<b>Supervising</b>	<b>Supervising</b>		
6	<b>“Years of</b>	<b>Custodian</b>	<b>Fireman</b>	<b>5 or Fewer</b>	<b>6 or More</b>	<b>Maintenance</b>	<b>Skilled</b>
7	<b>Exp.</b>	<b>Custodian</b>	<b>Fireman</b>	<b>Custodians</b>	<b>Custodians</b>	<b>Mechanic</b>	<b>Craftsman</b>
8							
9	0	16,824	17,340	17,602	18,639	19,120	19,577
10	1	17,213	17,730	17,992	19,029	19,607	20,165
11	2	17,602	18,119	18,381	19,434	20,120	20,748
12	3	17,991	18,509	18,769	19,871	20,626	21,332
13	4	18,381	18,897	19,161	20,312	21,070	21,918
14	5	18,769	19,284	19,579	20,752	21,644	22,502
15	6	19,161	19,727	20,020	21,187	22,154	23,086
16	7	19,579	20,167	20,456	21,624	22,663	23,671
17	8	20,020	20,603	20,896	22,064	23,173	24,256
18	9	20,456	21,042	21,332	22,502	23,679	24,842
19	10	20,896	21,480	21,772	22,941	24,191	25,425
20	11	21,332	21,921	22,212	23,377	24,699	26,011
21	12	21,780	22,373	22,662	23,821	25,220	26,611
22	13	22,237	22,834	23,124	24,275	25,751	27,225”

23 (4) Amend 14 Del. C. § 1322(a), by striking the salary schedule contained in said subsection in its

24 entirety and by substituting in lieu thereof the following:

25 **“SCHOOL FOOD SERVICE MANAGERS**

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

27	<b>Yrs of</b>							
28	<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>
29	0	15,531	16,479	17,425	18,369	19,300	20,447	21,016
30	1	16,004	16,948	17,898	18,843	19,727	20,587	21,446
31	2	16,479	17,425	18,369	19,300	20,156	21,016	21,875
32	3	16,948	17,898	18,843	19,727	20,587	21,446	22,304
33	4	17,425	18,369	19,300	20,156	21,016	21,875	22,734
34	5	17,898	18,843	19,727	20,587	21,446	22,304	23,164
35	6	18,369	19,300	20,156	21,016	21,875	22,734	23,630
36	7	18,843	19,727	20,587	21,446	22,304	23,164	24,104
37	8	19,300	20,156	21,016	21,875	22,734	23,630	24,580
38	9	19,727	20,587	21,446	22,304	23,164	24,104	25,053
39	10	20,156	21,016	21,875	22,734	23,630	24,580	25,524
40	11	20,587	21,446	22,304	23,164	24,104	25,053	25,997
41	12	21,016	21,875	22,734	23,630	24,580	25,524	26,473
42	13	21,446	22,304	23,164	24,104	25,053	25,997	26,945
43	14	21,875	22,734	23,630	24,580	25,524	26,473	27,423
44	15	22,304	23,164	24,104	25,053	25,997	26,945	27,898
45	16	22,746	23,646	24,588	25,536	26,481	27,427	28,382
46	17	23,197	24,143	25,083	26,028	26,976	27,917	28,876”



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

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

4	<b>Years of</b>		
5	<b>Experience</b>	<b>General Worker</b>	<b>Cook/Baker</b>
6	0	9.53	10.35
7	1	9.66	10.47
8	2	9.81	10.60
9	3	9.90	10.70
10	4	10.03	10.84
11	5	10.19	11.02
12	6	10.34	11.12
13	7	10.43	11.20
14	8	10.51	11.30
15	9	10.62	11.42
16	10	10.73	11.57
17	11	10.92	11.70
18	12	11.05	11.84
19	13	11.17	11.96
20	14	11.30	12.07
21	15	11.42	12.22
22	16	11.58	12.38
23	17	11.72	12.47
24	18	11.87	12.57
25	19	12.03	12.68”

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

28	<b>“Years of Experience</b>	<b>Service Aides</b>	<b>Instructional Aides</b>
29	0	13,031	15,331
30	1	13,373	15,751
31	2	13,717	16,171
32	3	14,065	16,593
33	4	14,408	17,013
34	5	14,750	17,436
35	6	15,094	17,856
36	7	15,439	18,277
37	8	15,782	18,696
38	9	16,128	19,117
39	10	16,471	19,536
40	11	16,813	19,922
41	12	17,159	20,302
42	13	17,502	20,686
43	14	17,845	21,065
44	15	18,190	21,452
45	16	18,534	21,832
46	17	18,878	22,216
47	18	19,222	22,596

1	19	19,565	22,980
2	20	19,877	23,362
3	21	20,196	23,753
4	22	20,522	24,190”

5 (7) Each school district shall continue to use salary schedules not less than those in 14 Del. C. §  
6 1322, for all school lunch employees.

7 (8) Effective July 1, 2005, the State shall pay 68.0 percent of the annual salary rate for school lunch  
8 employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 60.0 percent of  
9 salary rate for school lunch employees as set forth in the salary schedule 14 Del. C. § 1322(c).

10 The remaining percentage of the hourly salary rate for school lunch employees shall be paid  
11 from local funds. The State shall pay other employment costs for school lunch employees at the  
12 ratio of state supported salaries to total salaries, provided for by this Section, for school lunch  
13 employees.

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

16 (10) Section 1 of this Act provides an amount for salaries and other employment costs for Formula  
17 Employees in Public Education. Additional amounts are included in some Block Grants and  
18 Pass Through Programs (95-03-00). Local school districts must charge payroll for local share  
19 salary supplements and other employment costs and fringe benefits simultaneously with state-  
20 share charges. The amount of salary and other employment costs that can be charged to state  
21 appropriations for any one-day period or for any one individual cannot exceed the amount the  
22 individual is entitled to receive based on the state salary schedules provided by this Act and 14  
23 Del. C. c. 13, divided by the number of pays the individual has chosen to schedule per year. The  
24 provisions of this Section do not apply to Division III - Equalization (Appropriation 0186) which  
25 may be charged for local contractual obligations before local current operating funds are used.

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

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

5            (2) The base salary for ten-month Plan A employees at Delaware Technical and Community  
6 College shall be calculated by using the salary amount specified for the Bachelor's, 0 years of experience  
7 amount from 14 Del. C. § 1305(b), divided by 0.675 to account for 100 percent state funding.

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

20            (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
21 appropriated by the State to employees with similar training and experience who serve in similar positions  
22 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of  
23 the Office of Management and Budget shall establish an exempt position classification only for the  
24 purpose of assigning a salary or wage rate to said position. On or before August 15, 2005, the Director of  
25 the Office of Management and Budget shall publish a list of exempt positions and the comparable Merit  
26 System class and/or pay grade for each position. In addition, such listing shall show the name of the  
27 incumbent, if the position is filled, and shall show the statutory citation that authorizes the establishment  
28 of the exempt position(s). The Director of the Office of Management and Budget shall provide copies of

1 such listing to members of the Joint Finance Committee and the Controller General. No exempt  
 2 employee shall be hired until an approved comparability has been assigned to the position. No  
 3 reclassification/regrading, change in pay grade comparability of a filled or vacant exempt position, or  
 4 change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall  
 5 become effective unless approved by the Director of the Office of Management and Budget and the  
 6 Controller General. In order to permit the development of the comparability list, state agencies shall  
 7 provide to the Director of the Office of Management and Budget job descriptions of all exempt positions  
 8 and position classification questionnaires describing the duties and responsibilities of each of the  
 9 positions. The certification of comparability by Director of the Office of Management and Budget shall  
 10 not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned a  
 11 comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b) and  
 12 (c) of this Act and Merit System Rules 4.6 and 4.12; no other salary increases shall be given to such  
 13 employees unless specifically authorized in this Act.

14 (b) The salary of employees whose salary in effect as of June 30, 2005 is below the minimum  
 15 salary of the assigned pay grade of the pay plan shall be raised to the minimum salary.

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

19 Section 10. (a) For the fiscal year ending June 30, 2006, the salaries displayed below represent  
 20 the salary effective on July 1, 2005.

21			General	All Other
22	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
23	(01-01-01)	Representative	37.2	
24	(01-02-01)	Senator	37.2	
25	(02-01-00)	Chief Justice - Supreme Court	160.9	
26	(02-01-00)	Justice - Supreme Court	155.0	
27	(02-02-00)	Chancellor - Court of Chancery	153.3	
28	(02-02-00)	Vice Chancellor - Court of Chancery	147.9	
29	(02-03-00)	President Judge - Superior Court	153.3	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(02-03-00)	Associate Judge - Superior Court	147.9	
4	(02-03-00)	Commissioner - Superior Court	90.7	
5	(02-03-00)	New Castle County Prothonotary	60.7	
6	(02-03-00)	Kent County Prothonotary	53.9	
7	(02-03-00)	Sussex County Prothonotary	53.9	
8	(02-06-00)	Chief Judge - Court of Common Pleas	151.7	
9	(02-06-00)	Judge - Court of Common Pleas	144.0	
10	(02-06-00)	Commissioner - Court of Common Pleas	90.7	
11	(02-08-00)	Chief Judge - Family Court	153.3	
12	(02-08-00)	Associate Judge - Family Court	147.9	
13	(02-08-00)	Commissioner - Family Court	90.7	
14	(02-13-00)	Chief Magistrate - Justices of the Peace Courts	106.2	
15	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	61.1	
16	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	63.2	
17	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	65.3	
18	(02-17-00)	St. Court Administrator - Off. of the St. Court Administrator	119.7	
19	(02-18-00)	Public Guardian	63.6	
20	(02-18-00)	Executive Director - Violent Crimes Compensation		
21		Board		52.1
22	(02-18-00)	Executive Director - Child Placement Review Board	57.5	
23	(10-01-01)	Governor	132.5	
24	(10-02-00)	Director - Office of Management and Budget	119.7	
25	(10-02-05)*	Director - Administration	82.6	
26	(10-02-08)*	Director - SAC	83.8	
27	(10-02-40)*	Director - Support Services	27.2	52.8
28	(10-02-50)*	Director - Facilities Management	88.2	
29	(10-02-50)*	Executive Secretary - Architectural Accessibility Board	43.2	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
3	(10-03-01)	Director - Delaware Economic Development Office	112.0	
4	(10-07-01)	Executive Director - CJC	84.9	
5	(10-07-01)	Director - Domestic Violence Coordinating Council	62.6	
6	(10-07-02)	Executive Director – DELJIS	75.4	
7	(10-08-01)	Director - Delaware State Housing Authority		104.7
8	(11-00-00)	Chief Information Officer	141.0	
9	(12-01-01)	Lieutenant Governor	66.2	
10	(12-02-01)	Auditor	95.1	
11	(12-03-01)	Insurance Commissioner		95.1
12	(12-05-01)	State Treasurer	99.3	
13	(15-01-01)	Attorney General	123.2	
14	(15-01-01)	Chief Deputy Attorney General	116.2	
15	(15-02-01)	Public Defender	123.2	
16	(15-02-01)	Chief Deputy Public Defender	116.2	
17	(15-03-01)	Parole Board Chairman	71.4	
18	(20-01-00)	Secretary - State	112.0	
19	(20-01-00)	Executive Director - Public Employment Relations Board	71.9	
20	(20-02-00)	Director - Human Relations	67.0	
21	(20-03-00)	Director - Division of Archives	80.9	
22	(20-04-00)	Public Advocate		77.1
23	(20-04-00)	Director - Public Service Commission		82.5
24	(20-04-00)	Director - Professional Regulation		80.1
25	(20-05-00)	Director - Corporations		101.9
26	(20-06-00)	Director - Historical and Cultural Affairs	84.0	
27	(20-07-00)	Director - Arts	73.7	
28	(20-08-00)	State Librarian	79.7	
29	(20-15-00)	State Banking Commissioner		101.2

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(25-01-00)	Secretary - Finance	119.7	
4	(25-05-00)	Director - Accounting	97.2	
5	(25-06-00)	Director - Revenue	112.9	
6	(25-07-00)	Director - State Lottery		95.5
7	(35-01-00)	Secretary - Health and Social Services	119.7	
8	(35-01-00)	Director - Management Services	93.3	10.5
9	(35-04-00)	Chief Medical Examiner	142.9	
10	(35-05-00)	Director - Public Health	149.4	
11	(35-06-00)	Director - Substance Abuse and Mental Health	128.6	
12	(35-07-00)	Director - Social Services	52.0	52.0
13	(35-08-00)	Director - Visually Impaired	83.5	
14	(35-09-00)	Director - Long-term Care Residents Protection	83.5	
15	(35-10-00)	Director - Child Support Enforcement	27.5	55.9
16	(35-11-00)	Director - Developmental Disabilities Services	103.9	
17	(35-12-00)	Director - State Service Centers	83.5	
18	(35-12-00)	Director - Community and Volunteer Services	68.4	
19	(35-14-00)	Director - Services for Aging and Adults		
20		with Physical Disabilities	83.5	
21	(37-01-00)	Secretary - Services for Children,		
22		Youth and Their Families	112.0	
23	(37-01-00)	Director - Management Services	94.7	
24	(37-04-00)	Director - Child Mental Health Services	94.7	
25	(37-05-00)	Director - Youth Rehabilitative Services	94.7	
26	(37-06-00)	Director - Family Services	94.7	
27	(38-01-00)	Commissioner - Correction	119.7	
28	(38-01-00)	Bureau Chief - Management Services	86.2	
29	(38-04-00)	Bureau Chief - Prisons	103.9	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(38-06-00)	Bureau Chief - Community Corrections	98.9	
4	(40-01-00)	Secretary - Natural Resources and		
5		Environmental Control	112.0	
6	(40-01-00)	Deputy Secretary - Natural Resources		
7		and Environmental Control	97.2	
8	(40-05-00)	Director - Fish and Wildlife	44.6	44.6
9	(40-06-00)	Director - Parks and Recreation	90.0	
10	(40-07-00)	Director - Soil and Water Conservation	89.1	
11	(40-08-00)	Director - Water Resources	91.8	
12	(40-09-00)	Director - Air and Waste Management	91.8	
13	(40-09-00)	Director - Boiler Safety	57.9	
14	(45-01-00)	Secretary – Safety and Homeland Security	112.0	
15	(45-01-00)	Director - Del. Emergency Management Agency	37.1	37.0
16	(45-03-00)	Commissioner - Alcoholic Beverage Control	104.4	
17	(45-04-00)	Director - Alcohol and Tobacco Enforcement	74.2	
18	(45-06-00)	Superintendent - State Police	137.9	
19	(45-06-00)	Assistant Superintendent - State Police	126.6	
20	(55-01-01)	Secretary - Transportation		112.0
21	(55-02-01)	Director - Technology and Support Services		105.7
22	(55-03-01)	Director - Planning		105.7
23	(55-04-01)	Director - Maintenance and Operations		105.7
24	(55-06-01)	Director - Delaware Transit Corporation		105.7
25	(55-08-30)	Chief Engineer		105.7
26	(55-11-10)	Director - Motor Vehicles		105.7
27	(60-01-00)	Secretary - Labor	10.2	94.2
28	(60-06-00)	Director - Unemployment Insurance		86.6



			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(60-07-00)	Director - Industrial Affairs		86.6
4	(60-08-00)	Director - Vocational Rehabilitation		86.6
5	(60-09-00)	Director - Employment and Training	8.7	77.9
6	(65-01-00)	Secretary - Agriculture	104.4	
7	(65-01-00)	Deputy Secretary - Agriculture	77.6	
8	(70-01-01)	Commissioner - Elections	73.2	
9	(70-02-01)	Administrative Director - New Castle County Elections	69.4	
10	(70-02-01)	Deputy Administrative Director - New Castle		
11		County Elections	69.4	
12	(70-03-01)	Administrative Director - Kent County Elections	69.4	
13	(70-03-01)	Deputy Administrative Director - Kent County Elections	68.0	
14	(70-04-01)	Administrative Director - Sussex County Elections	69.4	
15	(70-04-01)	Deputy Administrative Director - Sussex County Elections	68.0	
16	(75-01-01)	State Fire Marshal	49.3	24.4
17	(75-02-01)	Director - State Fire School	73.6	
18	(76-01-01)	Adjutant General	97.1	
19	(95-01-00)	Secretary of Education	141.0	
20	(95-01-00)	Deputy Secretary of Education	116.7	
21	(95-06-00)	Executive Secretary - Advisory Council on Career		
22		and Vocational Education	91.6	

23 \*These positions are part of the proposed creation of the Office of Management and Budget. The  
24 Director of the Office of Management and Budget shall submit to the Joint Finance Committee by May 1,  
25 2005, a management structure for the new organization.

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

29 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing  
30 authority shall submit a request with appropriate justification to the Director of the Office

1 of Management and Budget to establish the salary commensurate with the qualifications  
2 of the proposed incumbent and within the position's evaluated pay range. In reviewing  
3 requests made pursuant to this paragraph, the Director of the Office of Management and  
4 Budget shall provide an analysis of the request and shall solicit the advice and written  
5 consent of the Controller General in the event the salary is higher than the amount listed  
6 in Section 10(a).

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

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

1 reviewing requests made pursuant to this paragraph, the Director of the Office of  
2 Management and Budget shall provide an analysis of the request, and shall solicit the  
3 advice and written consent of, the Controller General.

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

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

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

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

25 (c) Effective May 1, 2006, the Office of Management and Budget shall submit to the Joint  
26 Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each  
27 position the number of points applicable for Fiscal Year 2006 and the number of points of any  
28 recommended changes for any position for Fiscal Year 2007.

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

		<u>July 1, 2005</u>	
<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
(10-02-32)	Board Members - Pensions		15.0
(10-02-50)	Board Members - Architectural Accessibility Board	2.3	
(15-01-01)	Board Members - Consumer Protection	3.5	
(15-03-01)	Board Members - Parole	46.1	
(20-01-00)	Board Members - Public Employment Relations Board	7.4	
(20-01-00)	Board Members - Merit Employee Relations Board	20.0	
(20-02-00)	Board Members - Human Relations	2.5	
(20-04-00)	Board Members - Professional Regulation		71.5
(20-04-00)	Board Members - Public Service Commission		155.0
(25-01-00)	Board Members - Revenue	33.0	
(38-04-00)	Board Members - Institutional Classification	12.0	
(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
(60-07-00)	Board Members - Industrial Accident Board		153.0
(65-01-05)	Harness Racing Commission		13.6
(65-01-10)	Thoroughbred Racing Commission		13.6
(65-01-12)	Nutrient Management Commission	22.4	
(70-02-01)	Board Members - New Castle County Elections	21.5	
(70-03-01)	Board Members - Kent County Elections	13.0	
(70-04-01)	Board Members - Sussex County Elections	13.0	
(95-01-01)	Board Members - State Board of Education	16.8	
(95-08-01)	Higher Education Commissioners	2.4	

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

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

7 "(a) The Lieutenant Governor shall receive an annual salary of \$66,200 for serving as  
8 President of the Senate, of which \$11,347 shall be for performing other duties."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25           (b) The Department of Correction shall submit a report of videophone usage to the Director of  
26 the Office of Management and Budget, Controller General and members of the Joint Finance Committee  
27 by December 1 of each year. This report shall be based on a period from July 1 through June 30 and shall

1 include a detailed description of the actual savings, deferred costs and previously anticipated savings and  
2 deferrals that were not realized.

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

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

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

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

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



1 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This  
 2 change will facilitate the maintenance of the state payroll system as well as establish a consistent process  
 3 for managing the collection of dues from members of the Delaware State Education Association.

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

8 Section 26. Employees of the State of Delaware who are enrolled in a health insurance benefit  
 9 plan must re-enroll in a plan of their choice during the open enrollment period as determined by the State  
 10 Employee Benefits Committee. Should such employee(s) neglect to re-enroll in the allotted time, said  
 11 employee(s) and any spouse or dependents shall be automatically re-enrolled in their previous plan as  
 12 long as verification of employment is provided by the employee and the Office of Management and  
 13 Budget.

14 Section 27. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C. §  
 15 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

16 Section 28. (a) For the fiscal year ending June 30, 2005, any sums in the following accounts  
 17 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2006. Any  
 18 appropriation listed below that has a balance of zero on June 30, 2005 shall not continue.

19	<b>Fiscal Year</b>	<b>Account</b>	
20	<b><u>Appropriation</u></b>	<b><u>Codes</u></b>	<b><u>Remarks</u></b>
21	2004	01-01-01-0140	Travel
22	2004	01-01-01-0141	Leg-Mileage
23	2004	01-01-01-0150	Contractual
24	2004	01-01-01-0160	Supplies
25	2004	01-01-01-0170	Capital
26	2004	01-01-01-0181	Committee Expenses
27	2003/2004	01-02-01-0140	Travel
28	2003/2004	01-02-01-0141	Leg-Mileage
29	2004	01-02-01-0150	Contractual

1	2004	01-02-01-0160	Supplies
2	2003/2004	01-02-01-0170	Capital
3	2003/2004	01-02-01-0181	Committee Expenses
4	2003/2004	01-05-01-0140	Travel
5	2004	01-05-01-0150	Contractual
6	2004	01-05-01-0151	State Governments
7	1998	01-05-01-0185	Delegation Expenses
8	2003	01-05-01-0198	One-Time
9	2004	01-08-01-0151	Print Laws
10	2004	01-08-01-0170	Capital
11	2001	01-08-01-0185	Tri-Cent Committee
12	2004	01-08-01-0186	Technical Advisory
13	2004	01-08-02-0140	Travel
14	2004	01-08-02-0150	Contractual
15	2003/2004	01-08-02-0160	Supplies
16	2004	01-08-02-0170	Capital
17	1997/98/99	01-08-02-0180	Senior Center Reporting
18	2002/03/04	01-08-02-0181	Contingency – Legislative
19	2004	01-08-02-0182	Family Law Commission
20	2004	01-08-02-0185	Formula Update
21	1998/99/2000/01/02/03/04	01-08-02-0186	Juvenile Detention Oversight Committee
22	1996	01-08-02-0187	Contingency - Legal
23	2001/02/03/04	01-08-02-0190	Neighborhood Schools
24	2001/02/03/04	01-08-02-0191	Clean Air
25	2004	01-08-02-0193	JFC/CIP Cnt
26	2003/2004	01-08-02-0197	Contingency – Intern
27	2004	01-08-02-0198	One-Time
28	2002/03/04	01-08-02-0200	TriCent Committee

1	2004	01-08-02-0801	Technical Equipment
2	2002	01-08-02-0985	Senior Center Projects
3	2002	01-08-02-0987	Fox Point Park
4	2004	01-08-06-0150	Contractual
5	2005	02-17-01-0183	Victim/Offender Mediation Program
6	2004	02-17-01-0191	Kent County Office Space
7	2003/05	10-02-05-0185	Data Development
8	2003/04/05	10-02-05-0191	Budget Automation
9	2005	10-02-05-0198	One-Time
10	2000	10-02-05-0199	Technology
11	1997	10-02-05-0201	Infrastructure
12	2003/04/05	10-02-05-0202	Evaluation Project
13	2001	10-02-05-0204	Security
14	2004/05	10-02-06-0196	Contingency Fund
15	2003/04/05	10-02-11-0185	Legal Fees
16	2004/05	10-02-11-0189	Salary/OEC
17	2000	10-02-11-0199	Technology Initiative
18	2002/03/04/05	10-02-11-0255	Livable Delaware
19	2005	10-02-11-0267	800 MHz
20	2005	10-02-11-0270	Population Placements
21	2005	10-02-20-0181	Employee Recognition
22	2004/05	10-02-20-0187	School-to-Work
23	2004/05	10-02-21-0199	First Quality
24	2005	10-02-31-0150	Contractual
25	2004/05	10-02-31-0183	Self Insurance
26	2001/02	10-02-50-0198	One-Time
27	2004	10-03-01-0198	One-Time
28	2004	10-03-03-0186	Trade

1	1997	10-05-01-0180	Pilot Projects
2	2003/04/05	10-05-01-0181	Education
3	2003/04/05	10-05-01-0182	Program Evaluation
4	2005	10-05-01-0184	Uninsured Action Plan
5	2004/05	10-05-02-0180	Operations
6	2004/05	10-05-03-0180	Operations
7	2005	10-07-01-0188	Grants 02
8	2000	10-07-02-0196	Technology
9	2003	11-02-02-0199	Technology
10	2004	11-03-02-0197	Data Development
11	2004	12-03-01-0195	First Quality
12	2005	20-01-05-0180	Delaware Heritage
13	2003/04/05	20-03-01-0182	Historical Markers
14	1999/00/01/02/03/04/05	20-03-01-0198	One-Time
15	2005	20-06-01-0182	Italo-American Commission
16	2005	20-06-01-0198	One-Time
17	2005	20-06-04-0184	Operations
18	2005	20-06-04-0185	Art Object Refurbishment
19	2003/05	20-06-04-0198	One-Time
20	2005	20-07-01-0182	Arts Grants
21	2005	20-07-01-0198	One-Time
22	2004/05	20-08-01-0180	Library Standards
23	2005	20-08-01-0181	Delaware Electronic Library
24	2004/05	20-08-01-0186	DelNET
25	2005	20-08-01-0188	Public Education Project
26	2005	35-01-20-0183	EBT
27	2005	35-05-20-0182	Immunizations
28	2005	35-05-20-0183	Hepatitis B

1	2005	35-07-01-0189	Medicaid Non-State
2	2000	35-07-01-0197	Medicaid Management Information System
3	2002	35-07-01-0197	Technology
4	2004	35-07-01-0201	FMAP
5	2005	35-11-30-0180	Community Services
6	2005	35-11-30-0181	Purchase of Care
7	2004	37-01-50-0181	MIS Development
8	2005	38-01-10-0199	MIS
9	2005	38-01-30-0180	Medical
10	2005	38-01-31-0180	Drug Treatment
11	2003/04	38-01-40-0199	Maintenance and Restoration
12	2005	38-04-01-0185	Distance Learning
13	2003/04	40-08-07-0182	TMDL
14	2005	45-01-01-0186	Real Time Crime Report
15	1986	45-01-01-0381	Hazardous Waste Revolving Fund
16	2003	45-01-30-0197	Federal Disaster Relief
17	2001/02/03	45-01-30-0198	One-Time
18	2005	60-09-20-0182	Summer Youth Program
19	2005	60-09-20-0188	Skill Grant
20	2005	65-01-01-0198	One-Time
21	2004	65-01-08-0180	Plant Pest
22	2005	70-01-01-0181	School Elections
23	2005	70-01-01-0183	Voter Purge
24	2001	70-01-01-0200	Reapportionment
25	2005	70-01-01-0201	Technology Development
26	2005	70-02-01-0181	School Elections
27	2001	70-02-01-0200	Reapportionment/Address Verification
28	2005	70-03-01-0180	Mobile Registration

1	2005	70-03-01-0181	School Elections
2	2005	70-04-01-0180	Mobile Registration
3	2005	70-04-01-0181	School Elections
4	1997	70-04-01-0198	One-Time
5	2002	75-01-01-0197	Data Development
6	2001	75-02-01-0198	One-Time
7	2005	95-01-01-0189	State Board of Education
8	2005	95-01-01-0194	Educator Certification and Development
9	2001/02/05	95-01-01-0198	One-Time
10	2004/05	95-01-01-0200	Standards and Assessment
11	2005	95-01-01-0202	DSTP
12	2005	95-01-01-0203	Pupil Accounting
13	2005	95-01-01-0212	Professional Standards Board
14	2005	95-01-01-0229	Infrastructure Capacity
15	2004/05	95-01-01-0230	Educator Accountability
16	2001	95-02-02-0202	Educator Accountability
17	2003	95-02-02-0204	School Building Awards
18	2004/05	95-02-02-0204	School Improvement
19	2004/05	95-03-10-0191	Professional Development
20	2005	95-03-15-0127	Smithsonian Project
21	2004/05	95-03-15-0131	Parents as Teachers
22	2004/05	95-03-20-0127	Student Discipline Program
23	2004/05	95-03-20-0153	3-5 Program
24	2005	95-03-20-0182	Early Childhood Assistance
25	2005	95-03-20-0190	Prison Education
26	1999/2002/03	95-03-20-0198	One-Time
27	2005	95-04-01-0190	Public School Transportation
28	2005	95-07-01-0180	Operations

1	2005	95-08-01-0183	Scholarship
2	1998	95-08-01-0184	DHEC
3	2002/03/04/05	95-08-01-0185	Ferguson DSTP Scholarship
4	2000/01/02/03/04/05	95-08-01-0188	Physician Loan
5	2002/03/04/05	95-08-01-0189	Legislative Essay
6	2005	95-08-01-0190	National Teacher Certification
7	2005	95-08-01-0198	One-Time
8	1997	95-08-01-0975	GIA Section 1
9	1998	95-08-01-0977	GIA Tuition
10	2003	95-33-00-0172	MCI
11	2003	95-33-00-0173	MCI-VE

12 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis  
13 and not be subject to reversion until September 30, 2006: Tuition Reimbursement (appropriation 0189),  
14 Student Mentoring (appropriation 0207), Discipline Part II (appropriation 0201), LEP (appropriation  
15 0233), Professional and Curriculum Development (appropriation 0205), Professional Mentoring  
16 (appropriation 0151), Teacher to Teacher Instructional Cadre (appropriation 0206). Program expenses  
17 may not be incurred subsequent to the start of the regular 2006-2007 school year.

18 (c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be  
19 subject to reversion until December 31, 2006.

20 (d) For the fiscal year ending June 30, 2005, any sums in Fiscal Year 2005 appropriation 0213  
21 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to  
22 reversion until June 30, 2006.

23 (e) For the fiscal year ending June 30, 2005, any sums for Fiscal Year 2005 Division II – All  
24 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (appropriation  
25 0265), Division II – Energy (appropriation 0159), Division III – Equalization (appropriation 0186),  
26 Education Expense and Property Tax Relief Funds (appropriation 0287), School Building Awards  
27 (appropriation 0243), School Improvement Funds (appropriation 0244), and Innovative After School

1 Initiative (appropriation 0245) shall become a continuing appropriation in each local school district for  
2 the period of one fiscal year.

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

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

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



# 1 TOBACCO – MASTER SETTLEMENT AGREEMENT

2 Section 29. (a) Section 1 of this Act includes Appropriated Special Funds of \$26,705.6 from  
3 funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are  
4 allocated as follows:

5 (10-02-20) Office of Management and Budget

6 \$ 500.0 Disease Cost Containment

7 (10-05-01) Health Care Commission

8 \$1,000.0 Uninsured Action Plan

9 \$ 48.1 1.0 ASF FTE – Assistance to the Commission on health issues

10 \$9.0 Casual and Seasonal assistance

11 (15-01-01) Attorney General

12 \$148.8 2.0 ASF FTEs - legal matters relating to tobacco laws and regulations

13 (35-05-20) Health and Social Services – Community Health

14 \$500.0 Diabetes

15 \$1,728.4 New Nurse Development Program at Delaware Technical and Community  
16 College

17 \$169.0 Personnel Costs associated with Tobacco Control Programs

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

20 \$3,490.0 Tobacco prevention through Community Based organizations.

21 \$ 150.0 Christiana Care for research and testing regimens of detecting lesser known  
22 illnesses

23 \$130.0 Kent County/Sussex County Consumer Health Services – Delaware Academy of  
24 Medicine

25 \$ 50.0 Urban Health Project

26 \$200.0 Children and Families First – Resource Mothers Program

1 Also appropriated in this Act is \$5,000.0 for Cancer Council Recommendations, of this amount,  
2 funding is included for the following agencies:

3	\$150.0	Cancer Care Connection
4	\$200.0	The Wellness Community
5	\$75.0	Delaware Breast Cancer Coalition
6	\$355.0	Breast and Cervical Cancer Treatment (35-07-01)

7 (35-05-30) Health and Social Services – Emergency Medical Services

8	\$133.5	Public Access Defibrillation initiative
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9 (35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health

10	\$75.0	Limen House
11	\$200.0	Transitional housing for persons completing detoxification
12	\$500.0	Heroin Residential Program
13	\$47.6	University of Delaware – Delaware School Survey

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

15	\$7,874.3	Prescription Drug Program
16	\$1,215.0	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	\$508.7	Increase Medicaid eligibility for pregnant women/infants to 200 percent of
20		poverty
21	\$1,240.4	SSI Supplement

22 (35-11-30) Health and Social Service – Community Services

23	\$70.0	Family Support Services
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24 (35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities

25	\$351.2	Assisted Living
26	\$129.9	Caregiver Support
27	\$360.0	Assisted Care

1 (37-01-60) Children, Youth and Their Families – Prevention/ Early Intervention

2 \$110.0 Tobacco Prevention Programs for Youth

3 (45-04-10) Safety and Homeland Security – Alcohol and Tobacco Enforcement

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

5 (95-01-01) 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 Director of the Office of Management and Budget is charged with  
15 reviewing proposed project disbursements to insure that the resources are being spent in an efficient and  
16 effective manner. In this effort, the Director of the Office of Management and Budget may consult with  
17 the Chairs of the Joint Finance Committee.

18 (b) Effective June 15, 2005, all remaining unallocated funds shall be invested by the Cash  
19 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the  
20 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered  
21 shall be transferred back to the Cash Management Policy Board and reinvested.

22 (c) These funds shall be available for Fiscal Year 2006 only.

23 Section 30. Section 1 of this Act makes an ASF appropriation to the Department of Health and  
24 Social Services, Division of Social Services (35-07-00) for the Prescription Assistance Program and other  
25 programs funded with Tobacco Settlement funds. These funds may be used for both the client services  
26 and administrative costs of the programs.

27 Section 31. The Delaware Health Fund Advisory Council is directed to submit their proposed  
28 recommendations each fiscal year to the Office of Management and Budget no later than November 15<sup>th</sup>

1 per Senate Bill 8 as amended of the 140<sup>th</sup> General Assembly. It is the intent of the General Assembly that  
2 the Delaware Health Fund Advisory Council will present their proposed recommendations before the  
3 Joint Finance Committee in a public budget hearing.

1 **FEDERAL FISCAL RELIEF**

2 Section 32. (a) For the fiscal year ending June 30, 2005, any unencumbered and unexpended  
3 funds in the following accounts shall continue into the next fiscal year and shall not be subject to  
4 reversion to the Federal Fiscal Relief fund until June 30, 2006.

5	<b>Fiscal Year</b>	<b>Account Code</b>	<b>Remarks</b>
6	2005	10-02-11-9950	Innovative Technology Fund
7	2005	10-02-11-9951	Federally Qualified Health Centers
8	2005	10-08-01-9950	Housing Development Fund
9	2005	35-05-20-9950	Cancer Council Recommendations-Year 2
10	2005	40-06-02-9950	State Park Water Quality Initiative
11	2005	95-02-02-9951	Full-Day Kindergarten

12 (b) For the fiscal year ending June 30, 2005, any unencumbered and unexpended funds  
13 appropriated to pilot Full-Day Kindergarten (appropriation 9883) shall continue into the next fiscal year  
14 and shall not be subject to reversion to the Federal Fiscal Relief fund until June 30, 2006.

15 (c) For Fiscal Year 2006 only, interest funds accumulated from the Federal Fiscal Relief fund  
16 shall be appropriated as follows:

17 (35-06-20) Health and Social Services – Community Mental Health

18 \$205.0 Contractual Services (Supervised Apartments)

19 (45-06-09) Safety and Homeland Security – Training

20 \$97.5 Supplies and Materials (Vest Replacements)

21 \$19.5 Supplies and Materials (Shotguns for New Recruits)

22 (76-01-01) Delaware National Guard

23 \$12.5 Supplies and Materials (Medal Sets)

24 Further, it is the intent that these appropriations be non-recurring expenditure items and not be  
25 included in the base budget requests for the Fiscal Year 2007 Appropriations Bill.

# LEGISLATIVE

1  
2        Section 33. 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 34. 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 35. 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 36. 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 37. Section 28 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 38. 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 39. 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 Director of the Office of Management and Budget and the Controller General.

Section 40. (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 \$100.0 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 Director of the Office of Management and Budget, the Controller General, and the co-  
7 chairs of the Joint Finance Committee on an ongoing basis.

8 Section 41. 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 Justice of the Peace Court 1  
10 facility located in the Town of Frankford.

11 Section 42. Upon the approval of a plan submitted to the Director of the Office of Management  
12 and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall  
13 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts  
14 for the purpose of further centralizing personnel, finance, collections and filing/records management  
15 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,  
16 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of  
17 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-  
18 08-00) and Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of  
19 the State 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 43. Section 1 of this Act appropriates \$70.1 in Personnel Costs and 3.0 FTEs to  
25 Administrative Office of the Courts—Court Services, Office of the State Court Administrator (02-17-01)  
26 for positions funded by an expiring federal grant. Upon the expiration of the grant, the 3.0 existing Non-  
27 appropriated Special Fund positions will be converted to General Fund positions.



# EXECUTIVE

Section 44. (a) Section 1 of this Act appropriates \$1,300.0 to the Office of Management and Budget (10-02-00) for Technology Development. For Fiscal Year 2006, the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

<u>DEPARTMENT/AGENCY</u>	<u>SERVICE NEED</u>
Health and Social Services	
Substance Abuse and Mental Health	Clinical Care Automated System
Child Support Enforcement	DASCES Upgrade
Safety and Homeland Security	
Special Investigation	CDPD/CDMA Conversion
Labor	
Office of the Secretary	Replace Telephone System
Fire Prevention Commission	
Office of the State Fire Marshal	Digital Cameras/Computer Upgrades

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

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

- (i) needs analysis;
- (ii) business process to be impacted/reengineered;

- 1 (iii) risk assessment;
- 2 (iv) stakeholder impact assessment;
- 3 (v) cost-benefit analysis; and,
- 4 (vi) an analysis of the total cost of ownership, which includes costs incurred during all phases
- 5 of the development and operational life cycles.

6 In no instance shall any project be approved by the Director of the Office of Management and  
7 Budget if any portion of the above project plan requirements are absent from the department's/agency's  
8 request for a transfer of funds.

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

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

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

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

4 Section 45. Chapters 4.0 and 5.0 of the Merit Rules notwithstanding, the Director of the Office of  
5 Management and Budget and the Controller General shall have the authority to develop and implement a  
6 statewide pilot program to provide employee incentives designed to acknowledge outstanding  
7 performance and to achieve a net reduction in costs to the State. The pilot program, herein referred to as  
8 the Shared Savings Program, shall accrue to the mutual benefit of the State as an employer and its  
9 affected employees.

10 The Shared Savings Program shall have oversight by a committee comprised of the Director of  
11 the Office of Management and Budget, Controller General, Secretary of Finance, the State Treasurer and  
12 additional members as designated by the Governor. Guidelines for the pilot program shall be developed  
13 by the Office of Management and Budget for approval by the oversight committee. Analytical assistance  
14 in reviewing proposals shall be provided by the Office of Management and Budget and the Controller  
15 General's Office.

16 Shared savings proposals must be submitted by the agency head to the Director of the Office of  
17 Management and Budget by October 1 of each fiscal year. Implementation of savings proposals approved  
18 by the oversight committee shall commence on July 1 of the following fiscal year. Upon the conclusion  
19 of each fiscal year, the oversight committee shall assess the approved proposals with respect to their  
20 actual savings and shall distribute associated Shared Savings Awards by the following December 1. The  
21 Shared Savings Awards shall be distributed as follows: 50 percent distributed at a per capita rate to all  
22 permanent full-time and permanent part-time employees of the department implementing the approved  
23 shared savings proposal and 50 percent to the General Fund and/or Special Fund affected by the proposal.

24 At the conclusion of each fiscal year, the Director of the Office of Management and Budget shall  
25 provide a written assessment to the Governor and Co-Chairs of the Joint Finance Committee detailing the  
26 number of shared savings proposals approved as well as the annual savings accrued to the State as a result  
27 of implementing said proposals.

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

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

12           Section 47. The General Assembly finds that the establishment of the federal Temporary Aid to  
13 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
14 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
15 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-05-80-51) shall  
16 be available to mitigate to the extent possible, projected deficits in TANF supported programs within  
17 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall  
18 require the approval of the Director of the Office of Management and Budget and Controller General.

19           Section 48. The amount appropriated to the Office of Management and Budget, Contingency and  
20 One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of  
21 overpayment of fringe benefits, and other obligations except coding errors by a school district which  
22 require adjustment of the state's accounts. Any use of the Prior Years' Obligations account by any agency  
23 receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on  
24 June 30 of the fiscal year in which the expense was incurred, will require the requesting agency or school  
25 district to reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A  
26 line code reversion sum does not negate the necessity of encumbering sufficient funds to cover known  
27 expenses, proof of circumstances beyond an agency's ability to encumber must be documented on the  
28 request for transfer to be excluded from the reimbursement clause. All requests for prior year funds to

1 complete the payment of one-time items will require a reimbursement to the Prior Years' Obligations  
2 account by the requesting agency from any appropriation other than personnel costs. The reimbursement  
3 can be removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal  
4 judgments against the agency or school district. A reimbursement under this Section shall not be deemed  
5 to be prohibited by 10 Del. C. § 8111.

6 Section 49. (a) For Fiscal Year 2006, 29 Del. C. § 6529 is interpreted to include the ability to  
7 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
8 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
9 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
10 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring  
11 requests shall also require the review and approval of the Controller General prior to filling.

12 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
13 3.0000 and 13.0000 of the Merit Rules notwithstanding, the Director of the Office of Management and  
14 Budget shall have the authority to extend temporary promotions based on agency need until the hiring  
15 review process has ended. At the time the hiring review process has ended, those temporary promotions  
16 granted during the hiring review process shall be subject to the limitations identified in the Merit Rules  
17 governing the duration of temporary promotions.

18 Section 50. The appropriation in Section 1 of this Act to the Office of Management and Budget,  
19 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for  
20 \$23,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the  
21 event additional state special funds are received which were not previously anticipated. Such adjustments  
22 shall be made in accordance with the approval of the Director of the Office of Management and Budget  
23 and the Controller General.

24 Section 51. Section 1 of this Act appropriates \$1,805.2 to the Office of Management and Budget  
25 Contingencies and One-Time Items (10-02-11) for a one percent post-retirement increase. This increase  
26 is contingent upon the passage of legislation effecting such an increase. The 2.33 percent post-retirement  
27 increase rate established in Section 7(e) of this Act is sufficient to fully cover any and all costs associated  
28 with the aforementioned increase.

1           Section 52. Section 1 of this Act provides an appropriation to the Office of Management and  
 2 Budget, Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-  
 3 Time Appropriations in the amount \$555.2 shall be non-recurring expenditure items. The Director of the  
 4 Office of Management and Budget shall transfer the appropriations as itemized to the departments. Each  
 5 receiving department shall identify the line item, object code and, for all practical purposes, complete and  
 6 separate accountability for each appropriation amount transferred. No appropriation shall be transferred  
 7 without the Director of the Office of Management and Budget and the Controller General approvals. Any  
 8 one-time appropriation for computer hardware, software and telecommunications, which contemplates the  
 9 development of computer-related systems, shall be transferred into the line Computer One-Time Projects  
 10 in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer  
 11 or computer related funds shall be subject to the restrictions of the Development Fund.

12           Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be  
 13 included, or be considered, as a part of the budget request for the Fiscal Year 2007 Appropriation Bill.

14           Where applicable, the appropriations to Office of Management and Budget, Contingencies and  
 15 One-Time Items (10-02-11), are subject to the following terms and conditions:

16 <b>Account</b>			<b>Fiscal Year</b>
17 <b>Codes</b>	<b>Remarks</b>		<b>Appropriation</b>
18 02-08-10	Equipment and Supplies		35.6
19			
20 10-02-50	Equipment		1.0
21			
22 35-05-20	Caesar Rodney School-Based Health Center		5.0
23			
24 45-06-09	Equipment for Additional Troopers		60.0
25 45-06-11	Vehicles for Additional Troopers		83.6
26			
27 65-01-01	Crop Insurance		350.0
28			
29 95-01-01	Science in Motion – Van Replacement		20.0
30			

31           Section 53. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of  
 32 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical  
 33 Analysis Center. This position shall be exempt from the Merit System until such time as the current  
 34 incumbent vacates the position, at which time the position shall be classified by the Director of the Office  
 35 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

1           Section 54. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project  
2 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)  
3 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This  
4 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of  
5 Management and Budget and the Controller General. No changes shall be made to the annual project  
6 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all  
7 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of  
8 the Office of Management and Budget. Work shall not commence on these projects without the approval  
9 of the Director of the Office of Management and Budget.

10           Section 55. Any other statutory provision notwithstanding, any change to the Merit Rules  
11 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and  
12 Budget.

13           Section 56. Section 1 of this Act appropriates 2.0 ASF FTEs in Office of Management and  
14 Budget, Human Resources Operations (10-02-20). The Director of the Office of Management and Budget  
15 shall be the appointment authority for these positions, which shall be Human Resource Officers who will  
16 work on personnel issues for the Department of Transportation. The source of funding for these positions  
17 shall be the Department of Transportation, Human Resources (55-01-04) and the agency shall reimburse  
18 the Office of Management and Budget quarterly for all Personnel Costs and Other Employee Costs  
19 associated with these two positions.

20           Section 57. The State Employees Pension Benefits Review Committee will continue to review  
21 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the  
22 benefit structure of the various state pension systems for the purpose of evaluating current pension plan  
23 benefits and recommending changes.

24           The committee membership will consist of the Chairman and the Vice Chairman of the  
25 Legislative Joint Finance Committee, one member of the Senate appointed by the President Pro Tem, one  
26 member of the House of Representatives appointed by the Speaker, three member appointed by the  
27 Chairman of the Board of Pension Trustees, one member of the Pension Advisory Council, the Pension  
28 Administrator, the Director of the Office of Management and Budget, and the Controller General.

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

3 Section 58. Notwithstanding any provision to the contrary, for the purposes of developing and  
4 implementing PHRST Time & Labor, e-Recruit and other PeopleSoft modules, necessary adjustments to  
5 existing State human resource procedures shall be implemented during Fiscal Year 2006 with the written  
6 approval of the co-chairs of the Joint Finance Committee, the Director of the Office of Management and  
7 Budget and the Controller General.

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

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

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

17 Section 61. During the fiscal year, the Office of Management and Budget, Facilities Management  
18 (10-02-50), shall retain the rental fees as Appropriated Special Funds for the buildings known as the Kent  
19 County Courthouse, O'Brien Building, Family Court Building, Sussex County Courthouse, Sussex  
20 County Chancery Court, Absolom Jones/Belvedere State Service Center and New Castle County  
21 Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1  
22 of this Act.

23 Section 62. For energy backcharge purposes, the Office of Management and Budget, Facilities  
24 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten  
25 percent of the Public Safety Building, for which energy payment is the responsibility of the host  
26 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of  
27 the energy bills upon request for payment by the host department.



1           Section 63. The Director of the Office of Management and Budget shall work in concert with the  
2 Chief Justice or his designee to prioritize projects and ensure completion of necessary renovations and  
3 equipment acquisitions within the court system.

4           Section 64. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
5 employee parking in the Government Center Parking Garage as long as such payments are continuances  
6 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
7 positions he or she occupied prior to May 31, 1998.

8           Section 65. (a) Notwithstanding any state law to the contrary, the Office of Management and  
9 Budget, Fleet Management (10-02-42) may implement a pilot videoconferencing initiative including the  
10 utilization of no more than six videoconferencing units. State agencies participating in the pilot program  
11 may be assessed and shall pay the charge initiated in Fiscal Year 2003 for the usage of videoconferencing  
12 services and equipment. Such payments are considered allowable charges to all sources of state funding;  
13 sources include General Fund, Appropriated Special Funds, Non-appropriated Special Fund, Federal  
14 Funds and Transportation Trust Fund.

15           (b) The charge assessed to state agencies for videoconferencing services and equipment shall be  
16 determined by the Director of the Office Management of Budget with the concurrence of the Controller  
17 General.

18           Section 66. Section 1 of this Act appropriates \$745.8 ASF to the Office of Management and  
19 Budget, Facilities Management (10-02-50) for maintenance expenses associated with the Traffic  
20 Management Control Center and the following Motor Vehicle buildings: New Castle County, Hessler,  
21 Kent County and Sussex County. The source of funding for maintaining said facilities shall be the  
22 Department of Transportation. The Office of Management and Budget shall bill the Department of  
23 Transportation quarterly for actual maintenance costs incurred for said facilities.

24           Section 67. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,  
25 2006 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the  
26 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so  
27 noted:

- 1 (i) The first \$320.9 shall be used for the general operating expenses of the Delaware Economic  
2 Development Office, as determined by the Director of the Delaware Economic  
3 Development Office.
- 4 (ii) The second \$125.0 shall be used for the general operating expenses of the economic  
5 development trade office in Taiwan.
- 6 (iii) The third \$350.0 shall be used for the general operating expenses of the Delaware Small  
7 Business Development Center.
- 8 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program  
9 within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
10 General Assembly that these funds shall be used together with non-state contributions to  
11 the Delaware Business Marketing Program. Non-state contributions may be made in cash,  
12 or in-kind. Non-state cash contributions shall be deposited in a special fund for business  
13 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued  
14 at their fair market value and recorded in records maintained by the Delaware Economic  
15 Development Authority in connection with the Delaware Business Marketing Program.  
16 Expenditures of the program shall be divided between non-state contributions and state  
17 funds for any fiscal year's appropriations such that non-state contributions are not less than  
18 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to  
19 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-  
20 kind contributions. These funds shall not be used for hiring full-time employees. On or  
21 before April 1, 2006, the Director of the Delaware Economic Development Office shall  
22 provide to the Director of the Office of Management and Budget and the Controller  
23 General a report on the Delaware Business Marketing Program. The report shall include an  
24 itemized list of non-state cash and in-kind contributions received, total expenditures and an  
25 assessment of the program to date.
- 26 (v) The fifth \$150.0 shall be used to provide customized information technology training to  
27 small and medium-sized businesses through grants made by Delaware Technical and  
28 Community College IT Learning Center.

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

2 Section 68. The Delaware Economic Development Office, Economic Development Authority  
3 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce  
4 Development Grant. Funding for this grant shall be maintained at current levels.

5 Section 69. Section 1 of this Act includes a General Fund appropriation for Contractual Services  
6 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual  
7 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140<sup>th</sup> General  
8 Assembly through the fiscal year ending June 30, 2006.

9 Section 70. Section 1 of this Act appropriates \$2,495.5 ASF to the Delaware Tourism Office. Of  
10 this amount, \$1,032.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and  
11 payable by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by  
12 September 30 of each fiscal year or as otherwise approved by the Director of the Office of Management  
13 and Budget and the Controller General.

14 Section 71. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
15 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a  
16 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.  
17 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
18 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
19 Board shall develop rules and regulations for the application and award of the grants and matching grants.  
20 The Delaware Tourism Office shall provide the Controller General and the Director of the Office of  
21 Management and Budget with a report by April 1, 2006, detailing the usage of the funds herein  
22 authorized. Said report shall also contain an assessment of the economic impact of the grants programs  
23 and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public  
24 Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2006, the first  
25 \$50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to \$250.0  
26 ASF. In this event, the Matching Grant portion of the distribution shall be \$200.0 ASF and the Grant  
27 portion shall be \$50.0 ASF.

1           Section 72. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
2 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
3 contained in Section 1 at any time during Fiscal Year 2006, the Director of the Office of Management and  
4 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source  
5 to Tourism's Personnel Cost line.

6           Section 73. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
7 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
8 Kalmar Nyckel. During the period beginning July 1, 2005, and ending on June 30, 2006, the State of  
9 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
10 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
11 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
12 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
13 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
14 behalf of the State of Delaware and the Riverfront Development Corporation.

15           Section 74. The Delaware Economic Development Office shall provide a bi-annual update to the  
16 Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint  
17 Finance Committee regarding the implementation of the industry/cluster based organization. The bi-  
18 annual report, due no later than December 1<sup>st</sup> and May 15<sup>th</sup> of each year, shall include a status report on  
19 the implementation of the industry clusters, progress of the overall refocusing effort and any proposed  
20 changes in implementation of said clusters.

21           Section 75. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of  
22 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental  
23 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental  
24 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

25           Section 76. Section 1 of this Act appropriates \$250.0 to the Delaware Health Care Commission  
26 (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General  
27 Assembly that these funds shall be used for the continuation of the services provided under the plan after  
28 all other available funds for this purpose have been exhausted. The Commission shall submit a report to

1 the Director of the Office of Management and Budget and the Controller General no later than August 1,  
2 2005 detailing the plan for the expenditure of these funds.

3 Section 77. Section 1 of this Act appropriates \$2,080.0 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	250.0
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	Total	\$2,080.0

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

27 Section 78. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
28 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the

1 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
2 excluded from classified service as defined under 29 Del. C. § 5903.

3 Section 79. Section 1 of this Act includes non-appropriated special fund positions funded  
4 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State  
5 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund  
6 positions supported by Criminal Justice Council administered grants. By virtue of said positions being  
7 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not  
8 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests  
9 for state funding for said positions shall be prioritized by the affected department in its budget request for  
10 Fiscal Year 2007.

11 Section 80. In order to ensure that allocated resources are utilized efficiently and are compliant  
12 with generally accepted accounting rules, the Delaware Justice Information System (10-07-02) shall  
13 submit a quarterly report to the Director of the Office of Management and Budget and the Controller  
14 General detailing the purposes for which any and all funds appropriated from federal, state, or other  
15 sources were expended.

16 Section 81. There is hereby established the Delaware Sentencing Research and Evaluation  
17 Committee. The Committee shall be a permanent committee, and shall consist of the incumbent members  
18 of the SENTAC Research Committee. The Office of Management and Budget and the Controller General  
19 shall be notified of Committee meetings and a representative of each invited to attend and participate in  
20 all such meetings. The immediate past Chair of the Sentencing Accountability Commission (SENTAC),  
21 Honorable Richard S. Gebelein, will serve as Committee liaison to SENTAC, and will present all findings  
22 and reports to SENTAC in a timely fashion for their review and comment.

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

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

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

# TECHNOLOGY AND INFORMATION

Section 82. 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 Director of the Office of Management and Budget and Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 83. 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, Director of the Office of Management and Budget and Controller General. Any agency seeking exemption from this requirement must submit a request to the Chief Information Officer clearly stating the reasons why migrating to an alternative platform is necessary and/or desirable.

Section 84. The Department of Technology and Information shall publish the statewide telephone directory during Fiscal Year 2006. State agencies shall provide annual updates to the department by the date specified by the department.

Section 85. 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 Costs lines less non-salary-driven Other Employment Costs components. Overtime and casual/seasonal components of the Personnel Costs 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.



## OTHER ELECTIVE

1  
2        Section 86. 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 87. 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 Director of the Office of Management and Budget, upon the request of the State Auditor, shall attempt to  
8 advance sufficient funding from the Indirect Cost Account.

9        Section 88. Section 1 of this Act contains ASF position authorizations and associated  
10 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
11 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of Administration  
12 and 1.0 Arbitration Secretary, both of which shall be exempt.

13        Section 89. Section 1 of this Act provides an ASF appropriation of \$3,247.9 to the State  
14 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,  
15 for the purpose of providing staff support and operational expenses, including payment of fees for  
16 banking services. The \$3,247.9 in interest income on bank deposits shall be coded as special fund  
17 revenue to provide funds for operation of the Cash Management Policy Board.

18        Section 90. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data  
19 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the  
20 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated  
21 with and approved by the Chief Information Officer of the Department of Technology and Information  
22 and the Secretary of Finance.

23        Section 91. The State Treasurer's Office shall develop a rate for the purpose of recovering costs  
24 associated with the state's acceptance of funds through the use of credit, debit and purchasing cards. Cost  
25 recoverable activities shall include online transactions as well as traditional card transactions. The initial  
26 rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and  
27 Budget. The Treasurer's Office may initiate an automated revenue reduction process, equal to the  
28 approved rate, for all cash receipts received by the aforementioned methods. The Treasurer's Office shall

1 provide the agency with a statement of total revenue or payment, less transaction costs and net revenue.  
2 In lieu of an automated revenue reduction process the Treasurer’s Office may invoice a state agency for  
3 necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of  
4 Merchant Services fees.

5 Section 92. The State Treasurer’s Office, with the assistance of the Department of Technology  
6 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
7 approve the payment component of all new web-based technology initiatives involving the electronic  
8 remittance of funds to the state. Specifically, those projects promoting the use of online credit card  
9 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of  
10 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
11 already use online credit card payment, online debit card payment, Automated Clearing House payment,  
12 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
13 requirement unless and until such time as their current electronic payment component must undergo any  
14 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
15 of implementing the state’s designated payment component. A standard evaluation form will be designed  
16 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
17 the Government Information Center, where appropriate, and approved by the Office of Management and  
18 Budget.

19 Section 93. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the  
20 Department of Technology and Information, may approve pilot projects for the purpose of electronically  
21 transmitting remittance advices to those employees or contractors receiving payments via direct deposit  
22 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their  
23 request and documentation of cost savings in accordance with the guidelines established by the Office of  
24 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll  
25 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time  
26 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer  
27 and the Director of the Office of Management and Budget.

# LEGAL

1  
2        Section 94. 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 \$558.7 shall be used for the purpose of  
5 providing services covering family violence in Kent and Sussex counties.

6        Section 95. 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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Section 96. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0  
22 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)  
23 to support the Child Support Enforcement function. The Child Support Enforcement function in the  
24 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial  
25 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social  
26 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the  
27 reimbursement rate for indirect costs will be 25 percent of federal dollars spent on direct salary costs.

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

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

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

15 Section 97. Section 1 of this Act makes an appropriation to Contingency—Attorney Pay Plan in  
16 the Office of Management and Budget, Contingencies and One-Time Items (10-02-11). This  
17 appropriation is for the purpose of funding the salary matrices of the Office of the Attorney General (15-  
18 01-01) and the Office of the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the  
19 Office of the Attorney General, and \$65.0 is allocated for the Office of the Public Defender. Upon  
20 requesting contingency funds, each agency must submit for approval by the Director of the Office of  
21 Management and Budget and Controller General a report of personnel activity relating to salary plan  
22 movements with a description of the need to use said funds. Total personnel expenditures by these  
23 agencies may not exceed total personnel appropriations.

24 Section 98. Section 1 of this Act includes \$34.9 ASF in Personnel Costs and 1.0 ASF FTE  
25 Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to  
26 provide funding for this position, the Department of Natural Resources and Environmental Control (40-  
27 00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.

1            Section 99. Section 1 of this Act appropriates \$95.8 and 4.0 FTEs to the Office of the Attorney  
2 General (15-01-00) for positions funded by the expiration of the Victims of Crime Act and Edward Byrne  
3 Memorial Grants. Upon the expiration of the grants, the existing 4.0 Non-appropriated Special Fund  
4 positions will be converted to General Fund positions.

# STATE

1  
2        Section 100. During Fiscal Year 2006, 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 101. Section 1 of this Act appropriates contractual services to Office of Disability  
7 Affairs (20-01-07). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

8        Section 102. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker  
9 Maintenance to the Department of State, Delaware Public Archives (20-03-01). This entire amount shall  
10 be used for replacement, repair and refurbishing of historical markers.

11        Section 103. Section 1 of this Act provides an appropriation to the Department of State, Office of  
12 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that  
13 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

14        Section 104. (a) Section 1 of this Act establishes a special fund appropriation entitled  
15 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a  
16 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-  
17 1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and  
18 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic  
19 government information projects, and library initiatives. Quarterly reports regarding the status of this  
20 fund shall be made by the Department of State to the Director of the Office of Management and Budget  
21 and the Controller General.

22        (b) Of the amount appropriated in Section 1 of this Act, up to \$300.0 may be allocated for  
23 matching grants pursuant to the Delaware Public Library Technology Assistance Act (Title 29, Chapter  
24 66B) for the purposes of implementing a 3-year replacement cycle for public access hardware and  
25 software in Delaware's public libraries. An additional \$100.0 may be provided to the Division of  
26 Libraries for other library technology initiatives.



1           Section 105. Section 1 of this Act provides an appropriation to the Department of State, Office of  
2 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the  
3 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

4           Section 106. The Delaware Heritage Commission shall investigate which out of print books and  
5 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
6 Commission shall investigate what writings in these categories would be valuable for republication. A  
7 report shall be made to the Controller General and the Director of the Office of Management and Budget  
8 by December 1 of each fiscal year.

9           Section 107. Section 1 of this Act includes an appropriation to the Department of State, Division  
10 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation  
11 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art  
12 for placement in state museums.

13           Section 108. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State  
14 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits  
15 and art objects in Legislative Hall.

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

19           Section 110. The Heritage Commission is authorized to expend \$10.0 from the Delaware  
20 Heritage Foundation fund originally appropriated in FY 2003 for the Cooch's Bridge Celebration for the  
21 reprinting of "out of print" books.

22           Section 111. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount  
23 of \$3,369.5 for Library Standards. Of that amount, Libraries may reserve up to \$337.0 for planning and  
24 evaluation grants to determine each library's attainment of state and federal library standards. The  
25 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount  
26 allocated to that library, one installment upon signature of the contract and the second installment in  
27 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if  
28 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an

1 account for the benefit of the library from which the unspent funds came. These funds may be spent in  
2 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be  
3 used as part of any subsequent years' formula payment.

4 Section 112. Section 1 of this Act provides a special fund appropriation entitled “Technology  
5 Infrastructure Fund”, in the Division of Corporations (20-05-01) in the amount of \$5,225.0. Of this  
6 amount, \$50.0 shall be used to continue expansion of the UdLib/SEARCH project to the State’s public  
7 elementary schools.

# FINANCE

1  
2        Section 113. 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 114. Amend 29 Del. C. § 6102 by adding subsection (u), as follows, to the end thereof.  
11 "All debt service payments collected by the State from local school districts with respect to the school  
12 districts' obligations issued to the State pursuant to 29 Del. C. §7506, for the local share of school district  
13 capital projects shall be deposited in a special fund account to be known as the 'School District Local  
14 Share Special Account.' The amounts are to be deposited in said account to pay a corresponding amount  
15 of the debt service payable by the State with respect to general obligation bonds issued by the State. Such  
16 amounts provide financing for the local share of said capital projects. The holders of the general  
17 obligation bonds which are paid, in whole or in part, from the special account created pursuant to this  
18 subsection shall continue to have all the rights and remedies to which they are entitled under Section 10,  
19 Article VIII of the State's Constitution and under 29 Del. C. c. 74."

20        Section 115. Revenue (25-06-01) is authorized to establish and maintain a special fund with the  
21 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent  
22 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may  
23 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;  
24 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit  
25 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the  
26 collection of delinquent taxes. A detailed report on all expenditures from and collections to this special  
27 fund shall be sent annually to the Director of the Office of Management and Budget and the Controller  
28 General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

1           Section 116. The Director of Revenue shall have the authority to accept, on whatever terms and  
2 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue  
3 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit  
4 card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the  
5 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of  
6 taxes by credit cards.

7           Section 117. The Director of Revenue shall have the authority to enter into agreements according  
8 to which contingency and other fees are provided to finders of property to be escheated to the State or to  
9 other persons identifying abandoned property by means of audit or otherwise. When the Director deems  
10 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of  
11 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid  
12 agreements. The Director may direct that payment for said fees or other costs incident to escheat of  
13 property under the aforesaid agreements, including litigation expenses incident to escheat administration,  
14 be made out of such money held in the escrow, custodian or other account established under this  
15 paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which  
16 charges relating to receiving and processing remittances and reports by holders, and claims by owners of  
17 abandoned property, as well as advertising and travel fees and associated costs may be paid and into  
18 which abandoned property remittances may, at the discretion of the Director, be deposited.  
19 Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund. A semi-annual  
20 report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of  
21 Management and Budget and the Controller General.

22           Section 118. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
23 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
24 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
25 the Director of the Office of Management and Budget, provided that the total operating budget for this  
26 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

27           (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount  
28 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds

1 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
2 the Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C. §  
3 4815(b).

4 Section 119. There shall be established a special fund for the purpose of receiving the proceeds  
5 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this  
6 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
7 issues of the United States Treasury or investments of comparable risk. The Secretary may at his  
8 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

9 Section 120. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be  
10 released to an appropriately established account within the Department of Health and Social Services,  
11 Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the amount  
12 of which shall be based on the results of video lottery operations conducted during the immediately  
13 preceding month.

14 Section 121. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is  
15 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,  
16 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these  
17 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,  
18 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

19 Section 122. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video  
20 lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs  
21 and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery  
22 machines.

# HEALTH AND SOCIAL SERVICES

Section 123. 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 124. 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 Director of the Office of Management and Budget and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 125. (a) 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 Director of the Office of Management and Budget and the Controller General.

(b) Section 1 of this Act provides an appropriation of \$232.8 ASF in the Department of Health and Social Services, Division of Management Services (35-01-20), Program Integrity for the operation of the Audit Recovery and Management Services (ARMS) unit. Revenue from ARMS collections related to Public Assistance programs shall fund this account. All revenue in excess of the Program Integrity's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

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Section 126. 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 Director of the Office of Management and Budget shall take the appropriate steps to carry out the provisions of this section.

Section 127. (a) The amount appropriated by Section 1 of this Act to the Department of Health and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance with the following conditions and limitations:

- (i) This appropriation shall be used for the purpose of continuing the program of medical assistance provided within the state plan under Title XIX of the Social Security Act and the requirement of Section 121(a) of P.L. 89-97 and all subsequent amendments enacted by the Congress of the United States and commonly known as Title XIX of the Social Security Act;
- (ii) The state plan of medical care to be carried out by the Department of Health and Social Services shall meet the requirement for Federal Financial Participation under the aforementioned Title XIX.

(b) Funds appropriated by Section 1 of this Act for Title XIX Medicaid may be expended by the Department of Health and Social Services for covered direct client services as well as transportation and disease management. Funds may be expended for other administrative costs involved in carrying out the purpose of this Section if approved by the Director of the Office of Management and Budget.

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

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

1           Section 128. 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 129. Section 1 of this Act provides an appropriation to the Department of Health and  
9 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
10 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based  
11 adult health services clinic serving the Claymont area of New Castle County.

12           Section 130. Section 1 of this Act provides an appropriation to the Department of Health and  
13 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,  
14 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the  
15 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from  
16 the Preventive Health and Health Services Block Grant or other federal funds.

17           Section 131. Section 1 of this Act provides an appropriation of \$40.0 to the Department of  
18 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
19 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
20 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or  
21 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public  
22 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
23 ambulance company on a form provided by Public Health, indicating that the person for whom the  
24 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
25 in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
26 maintained by Public Health. To insure the success of this program, Public Health and representatives of  
27 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all  
28 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of



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

6 Section 132. Section 1 of this Act provides an appropriation of \$1,000.0 ASF to the Department  
7 of Health and Social Services, Division of Substance Abuse and Mental Health, Community Mental  
8 Health (35-06-20). The Division of Substance Abuse and Mental Health expects to generate additional  
9 retroactive revenue as a result of TEFRA rebasing of Medicare payment rates at Delaware Psychiatric  
10 Center. These funds shall be used to fund the rebasing project and to purchase medications for  
11 Community Mental Health.

12 Section 133. Section 1 of this Act provides an appropriation for the Department of Health and  
13 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
14 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
15 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

16 Section 134. The State desires to establish a permanent funding program for rodent control  
17 activities at the local level by providing the City of Wilmington \$15.0 New Castle County \$15.0; Kent  
18 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
19 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
20 be made no later than September 1, 2006; establish program objectives and spending guidelines; require  
21 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into  
22 the next fiscal year.

23 Section 135. Public Health, Community Health (35-05-20) will receive a portion of the Federal  
24 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The  
25 division shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled  
26 School Based Health Centers to support the cost of this initiative. Up to \$500.0 of the remaining revenue  
27 will be deposited into an ASF account in Social Services (35-07-01) and used for expenses associated

1 with the normal operations of the Medicaid program. This amount may be increased subject to approval  
2 from the Director of the Office of Management and Budget and Controller General.

3 Section 136. Section 1 of this Act appropriates \$881.8 in Supplies and Materials to the  
4 Department of Health and Social Services, Division of Public Health, Community Health (35-05-20), of  
5 that appropriation \$10.0 is to be used to purchase chemical reference materials for the Office of  
6 Environmental Health Evaluation.

7 Section 137. Section 1 of this Act provides funding for the Department of Health and Social  
8 Services, Division of Public Health, Community Health, Office of Drinking Water (35-05-20) to  
9 administer the Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the  
10 Twenty-first Century Fund and United States Environmental Protection Agency and includes  
11 appropriations for technical assistance and water operator training for drinking water systems in the State.  
12 The Environmental Training Center at the Delaware Technical and Community College and the Delaware  
13 Rural Water Association are the sole providers of water operator training and drinking water system  
14 technical assistance in Delaware therefore available funding through the DWSRF for training and  
15 technical assistance shall be distributed appropriately to these agencies.

16 Section 138. Section 1 of this Act provides an appropriation to the Department of Health and  
17 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
18 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable  
19 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

24 Section 139. Delaware Psychiatric Center maintains appropriation account 35-06-30-9837 to  
25 receive reimbursement for providing a work study program for local nursing schools and for assigning  
26 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

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

1           Section 140. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Division of  
2 Social Services (35-07-01) for TANF Child Support Pass Through. The Division shall be allowed to  
3 collect and deposit funds into this account as a result of child support payments collected by the Division  
4 of Child Support Enforcement on behalf of TANF clients. These funds will be used by the DSS to make  
5 supplemental payments to clients who are eligible to retain a portion of their child support under State and  
6 Federal TANF budgeting rules.

7           Section 141. Section 1 of this Act makes appropriations to the Department of Health and Social  
8 Services, Social Services (35-07-01), for various programs that pay for health care. In the Medicaid  
9 program, federal regulations mandate that drug companies must provide rebates in order to participate in  
10 the program. Social Services shall establish a drug rebate process for any prescription benefits provided  
11 to clients enrolled in the non-Medicaid programs administered by the division including but not limited  
12 to: the Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription  
13 Assistance program and the Legal Non-Citizen Health Care program. The division shall establish a rebate  
14 process that it determines is in the best interests of the citizens who are being served. The rebate amount  
15 shall be calculated using the full methodology prescribed by the federal government for the Medicaid  
16 program. In addition, the division is authorized to negotiate rebates with drug companies for both  
17 Medicaid and other programs. Notwithstanding any provisions of the Delaware Code to the contrary, the  
18 division shall deposit any drug rebate funds received as well as third party insurance collections (minus  
19 retention amounts) and other collections into the appropriate Social Services program account and use  
20 them to meet program costs.

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

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

27           The Director of the Office of Management and Budget and the Secretary of Health and Social  
28 Services shall continue to analyze cost containment initiatives in the area of additional drug rebates for

1 prescription drugs. The Director of the Office of Management and Budget and the Secretary of Health  
2 and Social Services shall confer with the Controller General and the co-chairs of the Joint Finance  
3 Committee.

4 Section 142. The Department of Health and Social Services is authorized to contract for the  
5 procurement of managed care services for the Diamond State Health Plan. The provisions of 29 Del. C. c.  
6 69 shall not apply to such contracts.

7 Section 143. (a) Section 1 of this Act appropriates \$1,964.5 in Social Services (35-07-00), \$188.3  
8 and 2.0 FTEs in Family Services (37-06-00) and \$184.0 and 2.0 FTEs in (95-01-00) Department of  
9 Education under Early Intervention for the Part C Birth to Three Program. The Interagency Resource  
10 Management Committee (IRMC) shall consult and advise the lead agency in setting program eligibility  
11 standards and shall have the authority to allocate such funds, and may advise on the use of other funds  
12 specifically designated for this project. The IRMC shall also have the authority to maintain up to 33.5  
13 FTEs and establish or contract for an additional 2.0 FTEs needed to provide appropriate services for  
14 Children Birth to Three, selected through the early intervention process and to ensure coordination with the  
15 Program for Children with Disabilities. In addition, the IRMC may recommend the transfer of General  
16 Fund positions and/or General Fund dollars from the Department of Health and Social Services as  
17 necessary to operate this program. The lead agency shall report to the Director of the Office of  
18 Management and Budget and the Controller General on additional revenues that will be generated from  
19 Medicaid matching funds for reimbursable appropriate services that will be deposited into the General  
20 Fund in Fiscal Year 2006.

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

1           Section 144. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Social Services (35-07-01) for Renal Disease.

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

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

15           Section 145. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
16 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
17 through voluntary contributions from medical facilities and from federal matching funds. These positions  
18 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
19 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
20 State of Delaware. Other medical facilities throughout the state may participate in this program.

21           Section 146. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
23 II system maintenance. Social Services shall have the authority to contract for positions needed to  
24 provide system maintenance. The division shall also have the authority, with approval from the Director  
25 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to  
26 Personnel Costs and establish up to 2.1 General Fund positions and 1.8 NSF positions in order to support  
27 DCIS II system maintenance.

1           Section 147. The Department of Health and Social Services is authorized to contract with a  
2 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
3 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
4 entering into any such contracts the department will obtain the approval of the Director of the Office of  
5 Management and Budget.

6           Section 148. Section 1 of this Act appropriates \$2,316.5 in Personnel Costs and 40.4 FTEs to  
7 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
8 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
9 be filled if the September 2005 educational unit count indicates the number of teachers required to meet  
10 caseloads for visually impaired students is greater than the Fiscal Year 2006 complement of teachers.

11           Section 149. Section 1 of this Act provides an appropriation to the Department of Health and  
12 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be  
13 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
14 impaired school children.

15           Section 150. Section 1 of this Act provides an appropriation of \$1,844.5 ASF in the Department  
16 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.  
17 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The  
18 department shall continue its efforts to maintain collections related to child support programs, and all  
19 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

20           Section 151. Section 1 of this Act provides an appropriation to the Department of Health and  
21 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual  
22 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

23           Section 152. Section 1 of this Act appropriates funding to Developmental Disabilities Services,  
24 Community Services (35-11-30) for the Purchase of Community Services. Of this amount, \$57.0 shall be  
25 used for the Mary Campbell Center.

26           Section 153. Developmental Disabilities Services, Community Services (35-11-30) receives  
27 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day  
28 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and

1 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day  
2 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community  
3 residential and day program contracts currently funded out of the Purchase of Care and Purchase of  
4 Community Services lines.

5 Section 154. (a) Developmental Disabilities Services (35-11-00) is encouraged, where  
6 appropriate, to reallocate resources so as to maximize community-based residential placements for  
7 persons with mental retardation. Such reallocation initiatives must be made within the total Division's  
8 appropriation limit with the approval of the Director of the Office of Management and Budget and the  
9 Controller General. These reallocation initiatives shall not compromise the standard of care of the  
10 remaining Stockley Center population.

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

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

23 Section 155. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the  
24 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The  
25 division shall be allowed to collect and deposit funds into this account as a result of revenue from  
26 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and  
27 tenant fees.

1           Section 156. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
2 35-12-10-8000 and 35-12-10-8001 for the purposes of lending car seats to families who cannot afford to  
3 buy them and to publish a Human Services Directory, respectively.

4           Section 157. (a) Section 1 of this Act for Department of Health and Social Services, State  
5 Service Centers, Family Support (35-12-10) includes 2.0 FTE (#59625 and #3094) and \$80.9 in  
6 Personnel Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted  
7 and the corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

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

12           Section 158. The position of Director, Community Services, shall remain exempt from classified  
13 service until such time as the position becomes vacant.

14           Section 159. Notwithstanding any other provisions of the Delaware Code, State employee  
15 recognition funds may be used per existing guidelines to include the recognition of volunteers and other  
16 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

17           Section 160. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
18 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
19 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division  
20 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund  
21 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
22 maintain existing services and provide additional services for adults with physical disabilities. Such  
23 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
24 by the Director of the Office of Management and Budget and the Controller General.

25           Section 161. Notwithstanding any provisions of the Delaware Code to the contrary, Social  
26 Services (35-07-01) is authorized to make such policy changes in the administration of the Temporary  
27 Assistance for Needy Families (TANF) program as may be necessary to assure that Delaware will qualify



1 for the full amount of its federal block grant entitlement. Any changes require the prior approval of the  
2 Director of the Office of Management and Budget and Controller General.

3 Section 162. Anything in 29 Del. C. c. 58, or the Merit Rules of Personnel Administration to the  
4 contrary notwithstanding, employees of the State Department of Health and Social Services, including  
5 employees within the Developmental Disabilities Services, who served as contract foster care providers  
6 for the Developmental Disabilities Services shall be eligible to continue to serve as contractual service  
7 providers during Fiscal Year 2006. The Director of the Developmental Disabilities Services shall ensure  
8 that foster care providers employed by the Department of Health and Social Services are not monitored or  
9 reviewed by other Department employees who are more junior to them and that contractual foster care  
10 providers do not serve on the Division's Placement Review Committee.

11 Section 163. (a) Section 1 of this Act appropriates funding to Social Services (35-07-00), State  
12 Service Centers (35-12-00) and Services for Aging and Adults with Physical Disabilities (35-14-00) in  
13 their current organizational structure. It is the intent of the Governor to implement a cost efficiency  
14 initiative to more effectively administer and deliver the services provided by these organizations.

15 (b) The initiative will involve the creation of a new Division of Medical Assistance that will  
16 consolidate medical assistance administration, as well as institutional and community-based services for  
17 the elderly and individuals with physical disabilities simplifying access for some of the most vulnerable  
18 citizens of Delaware.

19 (c) Eligibility for medical assistance related to poverty programs and remaining social safety net  
20 programs will be consolidated into a new and tentatively named Division of Social Services and Aging  
21 containing the following Individual Program Units (IPUs): Office of Aging, Office of Volunteerism,  
22 Office of Community Services, and Office of Social Services. This new Division will offer a continuum  
23 of human services in a streamlined fashion, minimizing duplication and enhancing service delivery.

24 (d) The initiative will be implemented so as to cause minimal disruption for employees.

25 (e) The Administration will work collaboratively with the Legislature and the Office of the  
26 Controller General in the implementation of the initiative. The details of the initiative will be made  
27 available by May 1, 2005.

1           (f) The effective date of the initiative will be July 1, 2005, and it will be reflected in the final  
2 Fiscal Year 2006 Appropriations Act. The Department shall also have the ability to transfer necessary  
3 funds and FTEs until November 1, 2005, with approval of the Director of the Office of Management and  
4 Budget and Controller General.

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 164. 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, 2005, the Director of the Office of Management and Budget 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 165. 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 Director of the Office of Management and Budget and the Controller General.

Section 166. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 167. 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 will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 168. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are made available with the goal of limiting the number of children who remain in foster care for more than

1 two years. For the year beginning October 1, 2005, the goal will be 220 children. This goal statement is  
2 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
3 272).

4 Section 169. Family Services is hereby directed to formally notify, in advance, the Child  
5 Placement Review Board of any meeting, hearing or other event of which the Board desires notification.  
6 Said notification shall be directed to the Executive Director of the Board.

7 Section 170. (a) As a means of monitoring and continuing to improve the expenditure of  
8 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
9 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
10 Director of the Office of Management and Budget and the Controller General on casual/seasonal and  
11 overtime expenditures. The report shall include, but not be limited to, sick leave usage, vacancy rates,  
12 training and transportation costs at the Ferris School, New Castle County Detention Center and Stevenson  
13 House. The report should reflect all actions (including disciplinary) being taken to expeditiously correct  
14 the noted problem areas.

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

20 Section 171. Section 1 of this Act provides an Appropriated Special Fund authorization of  
21 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting  
22 the Young Criminal Offender Program located at the Department of Correction, Prisons, Howard R.  
23 Young Correctional Institution (38-04-06).

24 Section 172. Section 1 of this Act provides an Appropriated Special Fund authorization of  
25 \$113.3 to the Department of Services for Children, Youth and Their Families for the purpose of  
26 supporting a Family Court Commissioner to assist in the Child Protection Registry appeal process as  
27 required pursuant to 16 Del. C. c. 9.

1           Section 173. (a) In addition to the positions authorized in Section 1 of this Act for Family  
2 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Director of the  
3 Office of Management and Budget may authorize additional training positions for the purpose of training  
4 investigative and treatment workers.

5           (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the  
6 Director (37-06-10) for the purposes of training workers hired in accordance with 29 Del. C. § 9015 (d).  
7 As the need for the over-hire provisions and the associated training authority is reduced, the Director of  
8 the Office of Management and Budget and the Controller General may eliminate 2.0 positions through  
9 attrition.

10          Section 174. Section 1 of this Act provides an appropriation to the Department of Services for  
11 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$888.0 for  
12 Pass Throughs. It includes:

13           Child Advocacy Center	\$587.7
14           People's Place, Milford	\$ 67.0
15           CHILD, Inc.	\$233.3

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

20          Section 175. If the quarterly average daily population at the New Castle County Detention Center  
21 is below 114, the Director of the Office of Management and Budget and the Controller General may  
22 reduce the number of casual/seasonal or full time positions through attrition.

1

2

## CORRECTION

3           Section 176. (a) Section 1 of this Act appropriates \$1,143.6 to the Department of Correction to  
4 fund the annual Hazard Duty A-1 rate of \$2,520.00 for Correctional Officer series and Probation Officer  
5 series positions. Hazardous Duty Level A-1 increased hazardous duty pay for Correctional Officer and  
6 Probation Officer series positions by \$600.00 annually.

7           (b) The Department of Correction is hereby authorized to continue its recruitment incentive pilot  
8 program initiated in Fiscal Year 2005. At the conclusion of the fiscal year, the department shall submit a  
9 report to the Director of the Office of Management and Budget and Controller General with regards to the  
10 effectiveness of the program.

11           Section 177. Section 1 of this Act provides an appropriation of \$1,700.0 to the Department of  
12 Correction, Office of the Commissioner (38-01-01) for the Correctional Sustainability Contingency. Said  
13 funds shall be used to address issues and some recommendations of the two task forces. Said funds shall  
14 not be disbursed without prior written approval of the Director of the Office of Management and Budget  
15 and Controller General.

16           Section 178. (a) Section 1 of this Act includes funding for relief positions in the Department of  
17 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These  
18 positions shall be used primarily for training relief. The Department of Correction shall provide a  
19 quarterly report to the Director of the Office of Management and Budget and the Controller General  
20 detailing the non-training relief assignments of the staff training relief officers.

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

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

7 Section 179. Section 1 of this Act makes an appropriation to the Department of Correction,  
8 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of  
9 inmate hospice care.

10 Section 180. Notwithstanding any provision in Title 29, Chapter 69, Delaware Code or any other  
11 law to the contrary, the Department of Correction may approve a subcontractor for the purchase and  
12 delivery of pharmaceuticals pursuant to the Contract #2828 for correctional health services.

13 Section 181. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
14 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
15 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and \$19.3 for  
16 Operating Costs.

17 Section 182. Section 1 of this Act makes an appropriation to the Department of Correction,  
18 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, \$20.0 shall be used for  
19 the purpose of collecting DNA samples. This provides funding for the implementation of House Bill 4 of  
20 the 141<sup>st</sup> General Assembly.

21 Section 183. Section 1 of this Act provides an appropriation for Personnel Costs to the  
22 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
23 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
24 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is  
25 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

26 Section 184. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
27 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a  
28 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior

1 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
2 report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller  
3 General and Commissioner of Correction by June 1 of each year, which will include but not be limited to  
4 the mission of the organization, the statement of the problem, a synopsis of the program, the number of  
5 participants, statistics relating to recidivism rates of those participating in the program and an annual  
6 budget of the organization.

7 Section 185. (a) Section 1 of this Act makes an appropriation of \$4,327.1 to the Department of  
8 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol  
9 Treatment Services; and \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -  
10 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,  
11 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
12 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse  
13 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
14 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
15 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
16 Commissioner of Correction or his designee.

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

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

25 Section 186. Section 1 of this Act provides an appropriation to Community Corrections,  
26 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Director of the  
27 Office of Management and Budget and the Controller General that details the expenditure of these funds



1 by SENTAC level (levels I, II and III) and the average personnel complement for each level. These  
2 reports are due on December 31 and June 30.

3 Section 187. (a) The Department of Correction shall have the authority, upon the concurrence  
4 and approval of the Director of the Office of Management and Budget and Controller General, to  
5 establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate  
6 work crews assigned to the completion of projects requested by the Department of Transportation. Upon  
7 approval, 2.0 ASF FTEs shall be assigned to the Department of Correction, Prisons, John L. Webb  
8 Correctional Facility (38-04-02), 2.0 ASF FTEs in Department of Correction, Community Corrections,  
9 Plummer Work Release Center (38-06-06) and 2.0 ASF FTEs in Department of Correction, Community  
10 Corrections, Central Violation of Probation Center (38-06-10). The source of funding shall be the  
11 Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70).  
12 Adjustments to Appropriated Special Fund spending authority for this program can be made upon the  
13 concurrence and approval of the Director of the Office of Management and Budget and the Controller  
14 General.

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

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

23 Section 188. The Department of Correction, Administration, Office of the Commissioner (38-01-  
24 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director  
25 of the Office of Management and Budget and Controller General. The report shall include the number of  
26 overtime hours worked and the amount of overtime salary expended by each agency within the  
27 department, and shall include a breakdown of the reason for overtime.

1           Section 189. Prison education services shall be provided by utilizing existing teachers that are in  
2 the Department of Correction as well as authorized teaching positions in the Department of Education.  
3 The management of all educational positions shall be provided by the Department of Education.  
4 Department of Correction teachers shall have the opportunity each year to notify both agencies of their  
5 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each  
6 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
7 shall be permanent.

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

13           Section 190. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
14 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
15 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
16 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
17 percent during night time and weekend hours.

18           Section 191. The Merit Rules notwithstanding, Department of Correction employees designated  
19 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless  
20 of their classification.

21           Section 192. For the upcoming fiscal year, the Videophone System Specialist in the Office of the  
22 Public Defender (15-02-01) shall work with the Department of Correction under the direction of the  
23 Deputy Principal Assistant to the Bureau Chief of Prisons to begin a pilot Distance Learning Program for  
24 persons supervised in Level V facilities. The Department shall submit an annual report on distance  
25 learning including pilot project recommendations to the Director of the Office of Management and  
26 Budget and the Controller General.

27           Section 193. The Department of Correction is hereby authorized to review the current security  
28 status classification of its facilities and submit a report, including but not limited to, any proposed security

1 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such  
2 report shall be submitted to the Director of the Office of Management and Budget and the Controller  
3 General no later than January 1, 2006. No change shall be made to the security status of the facility  
4 without the prior approval of the Director of the Office of Management and Budget and the Controller  
5 General.

# 1     **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 194. 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 Director of the Office of Management and Budget and the  
8 Controller General.

9           Section 195. The Department of Natural Resources and Environmental Control will provide the  
10 Joint Finance Committee with information on the actual cost of all Title V program activities, including  
11 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the  
12 Joint Finance Committee by January 31 and July 31, respectively.

13           Section 196. Section 1 of this Act appropriates \$111.6 to Water Resources, Watershed  
14 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-  
15 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$75.8 and  
16 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the  
17 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland  
18 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

22           Section 197. Section 1 of this Act appropriates \$453.5 in General Funds and any revenues  
23 collected in Appropriated Special Funds for a dog control contract in the Department of Natural  
24 Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). Said contract shall be  
25 administered jointly with New Castle County, Kent County and Sussex County. The recipient of this  
26 contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code.  
27 The contract will require that at a minimum there will be 6 Dog Control Officers in New Castle County, 3

1 in Kent County and 3 in Sussex County during Fiscal Year 2006, in which 50 percent of the cost of the  
2 contract shall be incurred by the respective counties.

3 Section 198. Section 1 of this Act makes an appropriation for Contractual Services to the  
4 Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-02).  
5 Of that total appropriation \$25.0 is to be dedicated to animal control.

6 Section 199. Section 1 of this Act makes an appropriation to the Department of Natural  
7 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
8 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of  
9 office space, storage facility, and garage for Mosquito Control.

10 Section 200. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department  
11 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management  
12 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro  
13 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to  
14 Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each  
15 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes  
16 the complaints and activities of the previous calendar year. These positions will respond to and provide  
17 follow-up on complaints from the community on the air quality throughout New Castle County.

18 Section 201. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

19 (a) An interest-bearing, Non-Appropriated Special Fund known as the Delaware Marsh  
20 Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement  
21 Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24,  
22 2001. The interest income from this trust account will be dedicated to implement the Settlement  
23 Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife  
24 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat  
25 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by  
26 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

27 (b) A Non-Appropriated Special Fund for administration of the dedicated interest earned on the  
28 fund established above, with said dedicated interest to be expended to help support or implement

1 compensatory tidal wetlands habitat enhancements or restorations and associated maintenance activities  
2 referred to in (a).

3 Section 202. Section 1 of this Act appropriates \$4,279.4 to the Department of Natural Resources  
4 and Environmental Control, Parks and Recreation, Operations and Maintenance (40-06-02). Of this  
5 amount, \$115.0 shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall  
6 be used for program services and contractual services at the Bellevue State Park system.

7 Section 203. The budget complement of the Department of Natural Resources and  
8 Environmental Control, Water Resources, Environmental Laboratory (40-08-02) includes 2.0 FTEs  
9 Analytic Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes  
10 vacant, it shall be converted to ASF. The remaining position shall not be converted.

11 Section 204. Section 1 of the Act appropriates \$2,100.1 to the Department of Natural Resources  
12 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).  
13 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

14 Section 205. Section 1 of this Act appropriates \$537.8 to the Department of Natural Resources  
15 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that  
16 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0  
17 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

18 Section 206. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and  
19 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and  
20 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,  
21 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based  
22 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

27 The promotional increases shall be based on a competency based matrix. The matrix shall provide  
28 for promotional standards both within and between pay grades. There shall be three levels that an

1 employee must achieve within one pay grade before in order to be eligible for promotion to a higher pay  
2 grade. These three levels are skill building, full performance, and expert. Decisions related to promotion  
3 to a higher pay grade shall be determined by an Enforcement Oral Board made up of 2 representatives  
4 from the Department of Natural Resources and Environmental Control and 3 representatives from the  
5 Office of Management and Budget.

6 Section 207. Section 1 of this Act appropriates \$257.5 to Soil and Water Conservation, District  
7 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field  
8 staff personnel for the preparation of nutrient management plans.

9 Section 208. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
10 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
11 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
12 abandoned underground storage tank (UST) systems. These USTs shall include those where the  
13 responsible parties have shown to the satisfaction of the Department of Natural Resources and  
14 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and  
15 the remediation of any resulting contamination. In such cases, the department shall not seek cost recovery  
16 of the funds expended under the HSCA fund.

17 Section 209. Section 1 of this Act makes an appropriation to the Department of Natural  
18 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
19 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the  
20 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
21 Funding is to be used to provide training for state and local water and wastewater operators.

22 Section 210. Fish and Wildlife is authorized to expend funds carried forward from the sale of  
23 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries  
24 programs and marine enforcement.

25 Section 211. It is intent of the General Assembly that the Department of Natural Resources and  
26 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
27 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers  
28 after such citations have been entered in the courts.

1           Section 212. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
2 which shall be exempt from the Merit System, to the Department of Natural Resources and  
3 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and  
4 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.  
5 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after  
6 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal  
7 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to  
8 the investigation of the incident; and the indirect costs related to all of the above.

9           Section 213. Section 1 of this Act makes an appropriation for Contractual Services to  
10 Department of Natural Resources and Environmental Control, Parks and Recreation, Operations and  
11 Maintenance (40-06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails  
12 maintenance.

13           Section 214. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the  
14 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife  
15 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol  
16 the inland bays.

17           Section 215. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in  
18 addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant, it shall be  
19 classified by the Director of the Office of Management and Budget in accordance with the Merit System,  
20 29 Del. C. c. 59.

21           Section 216. Section 1 of this Act appropriates \$2,422.1 in to Parks and Recreation, Wilmington  
22 State Parks (40-06-05). Of this amount, \$32.0 shall be used for the construction of a water system and  
23 \$17.5 shall be used for monument and general maintenance within the parks.

24           Section 217. Section 1 of this Act appropriates \$66.3 ASF in Personnel Costs and 1.0 ASF FTE  
25 Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from  
26 the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the  
27 Secretary, Energy Office (40-01-04).



1            Section 218. Section 1 of this Act appropriates \$924.5 for Contractual Services in Parks and  
2 Recreation (40-06-00). Of this amount, \$14.4 shall be used for the leasing of an enforcement vehicle and  
3 Interpretive Program vehicle at Killens Pond State Park.

# SAFETY AND HOMELAND SECURITY

Section 219. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 28 additional patrol officers in Sussex County.

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

Section 220. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 221. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Director of the Office of Management and Budget and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Director of the Office of Management and Budget and the Controller General.

Section 222. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Director of the Office of Management and Budget may authorize additional recruit positions accordingly.

Section 223. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications

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

4 Section 224. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I  
5 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and  
6 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and  
7 Troop 6.

8 Section 225. Section 1 of this Act appropriates \$180.0 ASF Personnel Costs and 3.0 Traffic  
9 Light Enforcement ASF FTEs in Safety and Homeland Security, State Police, Traffic (45-06-07). The  
10 source of funding shall be from revenues generated as a result of the Red Light Enforcement Safety  
11 Program within the Department of Transportation (55-00-00).

12 Section 226. Notwithstanding any other provisions of 29 Del. C. c. 69 to the contrary, the  
13 Delaware Emergency Management Agency (45-01-30) is authorized to utilize the United States  
14 Department of Defense, Defense Logistics Agency, Defense Supply Center Philadelphia,  
15 First/Emergency Responder Equipment Purchase Program or such other similar program for the  
16 procurement of material from the Authorized Equipment List of the U.S. Department of Homeland  
17 Security's State Homeland Security Grant Program or such other similar program with funds that may be  
18 provided by the U.S Department of Homeland Security, Office for Domestic Preparedness, to the extent  
19 that such purchase is authorized by federal laws and/or regulations.

# TRANSPORTATION

Section 227. 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 Office of Management and Budget.

Section 228. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

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

2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the eligible transportation providers for transportation services commencing the ensuing July 1. Said contracts shall be subject to an annual appropriation for such purpose.

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

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

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

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

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

13 Section 229. Section 1 of this Act appropriates \$1,136.0 TFO to Finance (55-01-02) for  
14 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware  
15 River and Bay.

16 Section 230. Section 1 of this Act makes an appropriation of \$1,353.2 TFO to Planning (55-03-  
17 01) for Operations/Capital.

18 (a) Of this amount, \$37.5 shall be used for infrastructure research and forums through the  
19 University of Delaware, Institute for Public Administration. An additional \$37.5 shall be allocated for the  
20 purposes set forth in this Section to be funded from eligible Federal Funds. The activities funded by this  
21 appropriation shall be approved by the Secretary of the Department of Transportation.

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

1           Section 231. The Department of Technology and Information shall bill the Department of  
 2 Transportation, Office of Information Technology (55-02-03) on an actual usage basis, excluding the  
 3 costs associated with the ongoing operations within Motor Vehicles, Administration (55-11-10), Drivers  
 4 Services (55-11-20), and Vehicle Services (55-11-30).

5           Section 232. Section 1 of this Act provides an appropriation to Maintenance and Operations (55-  
 6 04-00). Of this appropriation, \$2,610.0 TFO shall be used to implement the National Pollutant Discharge  
 7 Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Director of  
 8 the Office of Management and Budget and the Controller General on the status of the implementation of  
 9 NPDES and provide associated cost projections for the remainder of the fiscal year.

10          Section 233. Section 1 of this Act makes an appropriation in the amount of \$53,447.4 TFO to  
 11 Maintenance and Operations, Maintenance Districts (55-04-70) and \$14,851.5 TFO to Maintenance and  
 12 Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is  
 13 authorized at \$1,399.4 TFO.

14          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	2,944.9	3,549.8	6,640.5		13,135.2
Travel	26.0	0.0	0.0		26.0
Contractual/Supplies	1,483.5	821.1	1,885.7	5,440.0	9,630.3
Energy	114.8	380.4	911.8		1,407.0
Capital Outlay	91.0	0.0	66.0		157.0
TOTALS	4,660.2	4,751.3	9,504.0	5,440.0	24,355.5
FTEs	66.0	74.0	152.0	0.0	292.0

15  
 16          Section 234. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)  
 17 for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.

18          Section 235. Section 1 of this Act makes various appropriations from the Transportation Trust  
 19 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules  
 20 notwithstanding, the Director of the Office of Management and Budget and the Controller General  
 21 support the Department of Transportation’s (“Department”) efforts to develop and implement two pilot

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

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

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

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

18 Shared savings proposals must be submitted to the Secretary of Transportation by October 1 of  
19 each year. Implementation of savings proposals shall commence on July 1 of the following year. Upon  
20 the conclusion of each fiscal year, the Oversight Committee shall assess the proposals with respect to  
21 their actual savings and shall distribute associated Shared Savings Awards by the following December 1<sup>st</sup>.

22 Section 236. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
23 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
24 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
25 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

26 Section 237. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
27 Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called  
28 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.

1 Notwithstanding any other provision of the law to the contrary, any sums in this account not expended by  
2 the end of a fiscal year shall be carried over for use in future fiscal years, with appropriate transfers to  
3 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
4 divisions on an as-needed basis for expenditures incurred. The department may also transfer funds to  
5 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
6 department and the municipality to keep transit routes open during snow and storm emergencies. The  
7 transfer of funds from this account shall not require the approval of the Director of the Office of  
8 Management and Budget or the Controller General. The department shall provide quarterly reports each  
9 fiscal year to the Director of the Office of Management and Budget and the Controller General.

10 Section 238. In addition to the positions authorized in Section 1 of this Act for the Department of  
11 Transportation, Technology and Support Services, Office of Information Technology (55-02-03),  
12 additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of  
13 information technology support. As remaining positions for the purpose of information technology  
14 support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation  
15 Authority may be reallocated to continue the centralization of the information technology function within  
16 Technology and Support Services, Office of Information Technology (55-02-03). The Director of the  
17 Office of Management and Budget and Controller General may authorize this reallocation accordingly.

18 Section 239. During the fiscal year, the Department of Transportation shall be prohibited from  
19 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
20 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
21 installation of the access pipe.

22 Section 240. Notwithstanding any other provisions of the Delaware Code, the Department of  
23 Transportation, Motor Vehicles (55-11-00) shall have the authority to charge state agencies for state  
24 identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be determined by  
25 Motor Vehicles and will be deposited into a holding account coded as special fund revenue and shall not  
26 be subject to General Fund deposit or Transportation Trust Fund deposit at any time.

27 Section 241. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
28 Motor Vehicles, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection equipment.



1           Section 242. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
2 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
3 2005. These funds may be used for costs associated with Motor Vehicles (55-11-00) lane construction.

4           Section 243. The Department is directed to submit any proposed reorganization or change in  
5 operations that affect delivery of services within Motor Vehicles to the Co-chairs of the Joint Finance  
6 Committee for approval before implementation.

# LABOR

1  
2        Section 244. (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, 2005. The budget will take into  
5 consideration the funds required to commence the program at the end of Fiscal Year 2006, on or about  
6 June 15, 2006. 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 not be  
18 co-mingled with funds appropriated from any other source. The guidelines for youth employment and  
19 administrative costs for all persons employed in the State Summer Youth Employment Program shall be  
20 based in accordance with prior year's practice of payment for services.

21        Section 245. 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 246. 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 2006 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003  
6 Capital Improvement Act.

7       Section 247. Beginning in 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 Director of the Office of Management and  
16 Budget with a report by April 1, 2006, detailing the commitments and expenditure of said funds. It is the  
17 expectation that when a significant number of agricultural landowners participate in crop insurance the  
18 necessity of this program will be re-evaluated.

19       Section 248. 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 249. 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 250. 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 \$300.0, 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  
26 deciding all questions regarding voter eligibility. All other questions concerning operation of the polling  
27 place shall be decided by the inspector.

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

3           Section 251. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
4 01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
5 statewide efforts to maintain the voter rolls in an orderly manner.

6           Section 252. For purposes of designating and procuring polling places for primary, general and  
7 special elections, the respective county Department of Elections shall pay a rental fee totaling \$0.25 for  
8 each facility used, no matter how many election districts are assigned to that facility.

9           Section 253. Any state agency, office or department is prohibited from publishing or funding the  
10 publication of voter guides.

# FIRE PREVENTION

1

2

Section 254. 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 255. 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 256. 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 257. 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 258. 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 259. (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	\$2,737.1
Scholarships	1,994.7
Minority Student Recruitment	1,551.5
Aid to Needy Students	1,727.8
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$ 8,462.6

Agricultural Programs:

Agricultural Experimental Station	\$ 629.4
Agricultural Cooperative Extension	944.8
Agricultural Research and Education Center	523.7
Poultry Disease Research	871.0
Crop Extension	291.1
Agricultural Environmental Quality	194.6
Soil Testing and Pesticide Program	288.8
Diagnostic Poultry Program	<u>147.0</u>
Total	\$3,890.4



1	<u>Other Programs:</u>	
2	Sea Grant	\$ 534.6
3	Urban Agent Program	129.6
4	Public Service and Applied Research Projects	433.1
5	Minority Recruitment	280.3
6	Local Government Research and Assistance	228.7
7	Graduate Education (Southern Delaware)	35.7
8	Library Automation	52.0
9	Nurse Practitioner	257.8
10	Science, Engineering and Technology Service Program	150.1
11	Molecular Biology/Biotechnology Program	478.7
12	Math/Science Education for DE Teachers	589.8
13	Center for Community Development and Family Policy	250.7
14	Training and Research (Educational Management)	112.1
15	Computer Aided Math Instruction	80.0
16	Delaware Center for Teacher Education	333.3
17	Research on School Finance Issues	86.8
18	Delaware Education Research and Development Center	226.4
19	Delaware Research Scholars Program	150.0
20	Milford Professional Development School	112.9
21	Information Technology Partnership	2,444.3
22	Biotechnology	702.4
23	Computer Aided Instruction, Arts & Science	100.0
24	Clinical Instruction in Teacher Education	228.7
25	Early Childhood Education	109.4
26	Civics Education for Teachers	100.0
27	Biotechnology Institute	299.4
28	Software License Support	125.0

1	Study Abroad for Delaware Residents	50.0
2	Associate in Arts Degree	52.7
3	Early Learning Center	205.0
4	Nursing Program Expansion	<u>300.0</u>
5	Total	\$9,239.5

6 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2006 budget is  
7 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year  
8 2006 utilizing University funds for those programs identified for reduction in State funds during Fiscal  
9 Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these  
10 programs nor discontinue any of the impacted programs.

11 (c) Subsection (a) of this section appropriates \$200.0 for the Governor’s Scholars Program. Of  
12 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently  
13 enrolled eligible recipients prior to Fiscal Year 2006, until said completion. The remaining \$100.0 shall  
14 be used for new students in Fiscal Year 2006. Students that are pursuing educational or nursing degrees  
15 shall have priority in receiving a merit scholarship under this Program.

16 Section 260. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
17 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
18 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents  
19 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
20 Extension Program.

21 Section 261. Section 1 of this Act provides an appropriation to the University of Delaware for the  
22 Milford Professional Development School. The University and the Milford School District shall submit  
23 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2006, a  
24 joint report detailing the implementation status of this program as it relates to the appropriation herein.

25 Section 262. Section 1 of this Act makes an appropriation to Delaware State University,  
26 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
27 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the

1 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
2 \$100.0 shall be for scholarships for female athletes.

3 Section 263. For the fiscal year covered by this Act, in order to continue the assessment of  
4 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
5 as a result of processing accounting transaction data into two independent accounting systems, the  
6 Director of the Office of Management and Budget has authorized Delaware State University to:

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

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

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

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

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

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

1           Section 264. Section 1 of this Act provides an appropriation to Delaware Technical and  
2 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operations and  
3 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware  
4 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two  
5 institutions under a contract initiated by Delaware Technical and Community College. Under this  
6 contract, the University of Delaware will teach students at Delaware Technical and Community  
7 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community  
8 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.  
9 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers  
10 the relevant service and after the institutions have reached an agreement for tuition sharing.  
11 Representatives from both institutions will meet at least once each semester to review program  
12 operations.

13           Section 265. Section 1 of this Act contains an appropriation of \$204.6 for the Delaware Institute  
14 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
15 relating to the DIVME Program, these funds shall be used to provide tuition support for five Delaware  
16 residents studying at the veterinary medicine program at the University of Georgia, two Delaware  
17 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional  
18 students accepted to a veterinary medicine program for the coming year.

# EDUCATION

1  
2        Section 266. The provisions of this Act and the Delaware Code notwithstanding, the Department  
3 of Education, Office of Management and Budget and Controller General's Office are authorized to  
4 simplify the complexity of state share accounting by consolidating school district appropriations in the  
5 Delaware Financial Management System. Such consolidation may include state funding appropriated and  
6 allocated to school districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading  
7 Cadre, Teacher to Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational.  
8 Appropriations authorized to be consolidated herein, shall not alter the school funding formulas, salary  
9 schedules, and provision of expenditure stipulated in 14 Del. C. and in this Act.

10        Section 267. (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 \$3,550.0 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 Director of the Office of Management and  
21 Budget and Controller General, 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  
27 be based upon the 10-month base state salary scale for teachers. The Department of Education shall

1 report annually to the Director of the Office of Management and Budget and Controller General the  
2 number of NBPTS certificates obtained under this program. The NBPTS salary supplement shall be  
3 valid for a period not to exceed ten years.

4 (d) The funds received by charter schools through the Department of Education associated  
5 with staff members who qualify for the salary supplement described in subsection (c) shall be paid to  
6 said employees in accordance with subsection (c).

7 Section 268. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those  
8 employees who have achieved certification from the National Board for Professional Teaching Standards  
9 and serve as teacher mentors, the teacher mentor stipend payment for such service will be excluded from  
10 the 15 percent salary supplement limit only.

11 Section 269. Section 1 of this Act makes an appropriation of \$650.0 ASF and 2.0 ASF FTEs to  
12 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association  
13 shall not operate any accounts outside of the State accounting system and the Fund shall be interest  
14 bearing.

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

18 Section 270. (a) Amend 14 Del. C. § 1305 (h) by deleting the number “2006” as it appears  
19 therein and substituting in lieu thereof the number “2007”.

20 (b) Amend 14 Del. C. § 1318A (b) (10) by deleting the number “2005” as it appears therein and  
21 substituting in lieu thereof the number “2006.”

22 (c) Amend 14 Del. C. § 1318 (g) by deleting the number “2005” as it appears therein and  
23 substituting in lieu thereof the number “2006”.

24 (d) Amend 14 Del. C. § 1320 by deleting the number “2005” as it appears therein and  
25 substituting in lieu thereof the number “2006.”

26 (e) Amend 14 Del. C. § 1703 (j) by deleting the number “2006” as it appears therein and  
27 substituting in lieu thereof the number “2007”.

1           Section 271. For this fiscal year, the inflation factor for the local per pupil payments required  
2 under the state’s Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per  
3 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. § 509(d),  
4 shall be equal to two percent.

5           Section 272. Any course offered at a vocational technical high school may be offered in the  
6 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
7 Secretary of Education.

8           Section 273. Section 1 of this Act makes an appropriation to the Department of Education (95-  
9 01-01) for Educator Certification and Development activities. This appropriation to the Department of  
10 Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II;  
11 teacher and administrator assessment procedures; revision and update of teacher and administrator  
12 evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and  
13 expanding the Alternative Routes to Teacher Certification program.

14           Section 274. Section 1 of this Act provides an appropriation of \$329.5 to the Department of  
15 Education (95-01-01) for Standards and Assessment. Part of the Standards and Assessment program  
16 agenda is to support the development and implementation of performance indicators.

17           Section 275. Section 1 of this Act makes an appropriation of \$42.0 to the Department of  
18 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school  
19 students to assist in defraying out-of-state travel expenses associated with this program.

20           Section 276. Section 1 of this Act makes an appropriation of \$500.0 to the Department of  
21 Education (95-01-01) for Student Mentoring. Of this amount, \$350.0 shall be used by the Department of  
22 Education to review and award grants competitively to schools with grades kindergarten through eighth.  
23 Programs selected shall provide at-risk children with academic tutoring and instruction, with the  
24 involvement of parents and volunteer mentors. School districts shall make direct application to the  
25 Department on behalf of individual school buildings, addressing in their proposal the following: (a) one-  
26 on-one tutoring for academically at-risk students; (b) early childhood preventive intervention strategies;  
27 (c) adherence to academic standards as adopted by the State Board of Education; (d) parental  
28 involvement; and (e) provision of program evaluation and performance evaluation. Local schools are

1 encouraged to utilize such programs for students during non-core academic class time. Grant awards for  
2 individual schools, of no more than \$30,000 each, shall be determined by the Department no later than  
3 November 30 of each year and funds shall be allocated by December 31 of each year. The remaining  
4 \$150.0 may go to the University of Delaware for the Delaware Mentoring Council to provide technical  
5 assistance and professional development for mentors and other activities.

6 Section 277. Section 1 of this Act appropriates \$600.0 to the Department of Education (95-01-  
7 01) for Infrastructure Capacity. These funds shall be used to support the development and  
8 implementation of automated systems to manage such activities as the licensure and certification process;  
9 the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements;  
10 development of on-line standards-based units of instruction; and the accountability reporting system.

11 Section 278. Section 1 of this Act appropriates \$1,220.0 to the Department of Education (95-01-  
12 01) for Educator Accountability. These funds shall be used to support the design and implementation of  
13 DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification  
14 system. Prior to expending any of these funds, an approved budget must be submitted by the Secretary of  
15 Education, after consultation with the Professional Standards Board, and approved by the Director of the  
16 Office of Management and Budget and Controller General.

17 Section 279. The Department of Education shall transfer \$100.0 to the Department of Safety and  
18 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background  
19 checks for all school district employees on a first come, first served basis. State Police shall send  
20 quarterly reports to the Department of Education regarding expenditures of said funds.

21 Section 280. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
22 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
23 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership  
24 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
25 challenging content and performance standards, have aligned assessments to those standards, have  
26 established a system of school and district accountability, and allow waiver of State statutory and  
27 regulatory requirements relating to education.



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

9 Section 281. During Fiscal Year 2006, the Department of Education may be authorized to  
10 continue a pilot funding structure within Brandywine and Seaford School Districts, to provide resources  
11 to students with disabilities in the most flexible and equitable manner possible, upon approval of the  
12 Director of the Office of Management and Budget and Controller General. Any changes to the existing  
13 structure must be approved by the Director of the Office of Management and Budget and the Controller  
14 General.

15 Section 282. The Delaware Code notwithstanding, during this fiscal year, the Director of the  
16 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,  
17 the number of administrative positions and activity busing for which the State was required to provide  
18 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative  
19 positions, shall apply only to positions filled for employment, and shall not be considered as authorization  
20 to fund any cash options pursuant to 14 Del. C. § 13.

21 Section 283. Section 1 of this Act includes funding to provide an annual salary supplement in the  
22 amount of \$662 for those Instructional Aides, paid under 14 Del. C. § 1324(b), who have received an  
23 associate degree, completed two years of college or have successfully passed a comprehensive testing  
24 mechanism to be defined by the Department of Education.

25 Section 284. Line item funds appropriated in Section 1 of this Act to Public Education, School  
26 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the  
27 Department of Education (95-01-01), Block Grants and Pass Through Programs (95-03-00), Pupil  
28 Transportation (95-04-00), or the local school districts. Examples of such use are: salary line transfers

1 and adjustments; unit adjustments; state share of tuition payment for private placement of handicapped  
2 pupils; for Delaware residents of the Delmar School District attending Maryland schools; expenditures for  
3 Americanization classes; and pupil transportation costs.

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

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

16 Section 285. Section 1 of this Act makes an appropriation to Public Education, School District  
17 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20  
18 guaranteed units. In the event that more units are required districts shall receive partial unit funding in  
19 proportion to the units available.

20 A school district that loses enrollment as a result of a decision to close a school or program shall  
21 not be guaranteed units lost as a result of that decision. Charter schools shall not be eligible for funding  
22 under the Guaranteed Unit Count.

23 Section 286. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School  
24 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,  
25 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Pass Through Programs,  
26 Special Needs Programs for the First State School.

27 The Department of Education, Children's Services Cost Recovery Project is authorized to pursue  
28 Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State

1 School. Students in the program are considered eligible for special education services and have  
2 Individual Education Plans in addition to their medical treatment plans. Any funds recovered shall be  
3 returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State  
4 School operational costs.

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

8 Section 287. Section 1 of this Act provides certain appropriations to Public Education, School  
9 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.

10 Allocation of these funds shall conform to the following:

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

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

15	1. Caesar Rodney - Americanization	\$ 14.1
16	2. Red Clay - Americanization	113.6
17	3. Margaret S. Sterck -	
18	Residence - Other Costs	85.4
19	Consultant Services	11.0
20	Preschool Summer Program	6.9
21	4. Christina Autistic -	
22	Residence - Other Costs	206.5
23	Contractual Services	11.4
24	5. John G. Leach	50.0
25	6. Sussex Orthopedic School	<u>12.9</u>
26	Total	\$511.8

27 Section 288. (a) Section 1 of this Act makes an appropriation to Public Education, School  
28 District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,

1 \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as  
2 academic review, academic watch or academic progress. The remaining \$100.0 shall be allocated for  
3 recognition of schools and districts that receive the superior designation. Such recognition shall include  
4 special ceremonies and/or the award of plaques or flags.

5 Section 289. Section 1 of this Act makes an appropriation of \$3,000.0 to Public Education,  
6 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Contingency to begin the  
7 phase-in of statewide Full-day Kindergarten. This appropriation will provide funding to continue existing  
8 pilot programs, as awarded by the Department of Education at the Fiscal Year 2005 funding level, in the  
9 following school districts: Appoquinimink, Capital, Indian River, Lake Forest and Red Clay.

10 Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following  
11 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East  
12 Side, Thomas Edison, Kuumba Academy, Laurel, Marion T. Academy, MOT, Providence Creek, Seaford,  
13 Smyrna and Woodbridge.

14 For school districts that receive funding at the unit size of 17.4 in the current fiscal year, local  
15 school districts are encouraged to match their operating allocation, on a 70/30 state/local basis pursuant to  
16 the provisions of 14 Del. C. § 1902(b).

17 Section 290. Section 1 of this Act makes appropriations to the Department of Education, School  
18 District Operations, Division Funding (95-02-01) for Division II – All Other Costs and Energy. The  
19 combined value for a Division II unit shall be \$4,207.00.

20 Districts may submit a request for transfer of funds to the Director of the Office of Management  
21 and Budget and Controller General in accordance with 29 Del. C. § 6528 to provide flexibility to local  
22 school districts.

23 Section 291. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
24 Fiscal Year 2006, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
25 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

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Section 292. Section 1 of this Act provides an appropriation to Public Education, Block Grants and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This appropriation shall be allocated by the Department of Education to the following programs/districts: Adult Trade Extension/Apprentice Program (statewide), James H. Groves High School (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative Secondary Education Program (statewide), Marine Mechanics Apprentice Program (Sussex Technical School District) and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2006, each program shall receive no less than the same allocation from this appropriation as its Fiscal Year 2005 allocation.

Section 293. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

(a) The following allocations shall be provided:

- (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to Certification program, to include an expansion for Special Education. The remaining \$75.0 may be used for the Summer Institute program.
- (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional and curriculum development activities. Districts shall submit applications to the Department of Education detailing the district's plan for the utilization of these funds. The Department of Education shall review and approve plans and allocate an amount not to exceed \$331.00 per certified employee, based on a district's personnel complement for the 2004-2005 school year. Grants are to be used for developing and implementing curriculum based on the content standards established by the Curriculum Frameworks Commission, as approved by the State Board of Education or for other professional development activities, including, but not limited to: Discipline, Special Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared Decision Making, local school board member training, and Educational Technology.

1 Districts are encouraged to collaborate as a means of maximizing resources as well as  
2 focusing district activities on consistent principles. Grants may be utilized for training,  
3 planning, in-service programs and contractual services. The Department of Education is  
4 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
5 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
6 approval of the district application for funding.

7 In the application, districts shall detail the proposed utilization of funds as well as  
8 the incorporation of the following criteria:

9 (a) Integration of the proposal with existing resources and programs such as the  
10 Comprehensive Discipline Act, Delaware Principals Academy, Delaware  
11 Teachers Center, Drug Free Schools, Title I and II, Special Education and local  
12 funds dedicated to Standards and Assessment.

13 (b) Inclusion of local staff in planning of the grant proposal, with representation  
14 from all involved in student learning, including all professional employees by  
15 category. The plan(s) should focus on overall improved student performance,  
16 with a built in level of accountability to determine effectiveness.

17 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
18 determine, in coordination with the agency (or agencies) operating this program, the goals  
19 and objectives of this program, including how it will further the objectives of Standards  
20 and Assessment and integrate Shared Decision Making training into the program focus.  
21 The Controller General and the Director of the Office of Management and Budget shall  
22 ensure that the proposed program is cost efficient and meets the objectives outlined in this  
23 section before agreeing to transfer the appropriation from the Department of Education to  
24 the operating agency. All expenditures from this allocation shall serve principals from the  
25 State of Delaware only.

26 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
27 teachers to assist new teachers through leadership and guidance, and includes a training

1 component in order for teachers to become better mentors. This funding level allows for  
2 a statewide program.

3 (5) \$1,100.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition  
4 reimbursement for summer school courses. This allocation provides, at the discretion of  
5 the Department of Education, for the possible operation of a tuition reimbursement  
6 program for the purpose of reimbursing public school employees and teachers employed  
7 by state agencies for tuition payments for undergraduate and graduate college courses,  
8 including Early Childhood Education courses, or courses in an Education Technology  
9 Certificate Program. Funds may only be used to reimburse certificated non-  
10 administrative employees and paraprofessionals. A minimum of 20 percent of these  
11 funds shall be used for reimbursement to paraprofessionals. If at the end of the fiscal  
12 year districts are unable to spend this minimum requirement on paraprofessionals, the  
13 remaining funds may be used towards certificated non-administrative employees. No  
14 payment shall be made unless the course taken relates to the employee's job assignment  
15 and is taken with the prior approval of the employing district board, superintendent or  
16 state agency. Local school district boards of education are required to prioritize the  
17 allocation of the funds they receive to support the educational advancement efforts of  
18 regular education teachers taking special education and/or mainstreaming related courses  
19 and other educational priorities established by the local boards of education based on  
20 staff development goals or to ameliorate identified deficiencies. This allocation may be  
21 used by local school districts to defray the costs for teachers seeking application for  
22 National Board Certification from the National Board for Professional Teaching  
23 Standards, and to defray the cost of the Para Pro-assessment for paraprofessionals and  
24 Praxis II exam for teachers.

25 Reimbursement for tuition may be made for courses taken during summer  
26 school or during the academic year for which a passing grade of B or better is obtained.  
27 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a  
28 course with an equal number of credit hours at the University of Delaware. Of the total



1 allocation made by Department of Education, a minimum of .75 percent shall be  
2 allocated to state agencies and the balance shall be allocated to school districts in  
3 amounts equal to each school district's proportion of Division I units to the total number  
4 of Division I units statewide on September 30, 2005. Any funds not expended by a  
5 school district or a state agency shall be transferred to other districts or agencies. In the  
6 event that any district's allocation is not sufficient to provide total reimbursement to all  
7 eligible employees, the district shall pro-rate the funds so that each eligible employee  
8 receives a share of the total district allocation equal to the individual employee's  
9 reimbursable expenditure divided by the total reimbursable expenditure of all employees  
10 in the district multiplied by the district allocation. Funding for each school district shall  
11 be divided into two equal parts. The first one-half shall be prorated as described above  
12 among eligible employees who complete their courses prior to February 1, 2006. The  
13 second one-half shall be prorated as described above among eligible employees who  
14 complete their courses prior to June 15, 2006. In the event that funds remain in either  
15 half year, the district shall be authorized to reallocate those funds to reimburse eligible  
16 employees in the other portion of the year who did not receive full reimbursement. This  
17 section shall supersede collective bargaining agreements to the contrary.

18 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of  
19 release time of exemplary teachers in the content areas in which the Department of  
20 Education has adopted content standards, who will provide assistance to districts on a  
21 statewide basis in designing, demonstrating and implementing best teaching practices in  
22 the development of curriculum to meet the established standards. The Department of  
23 Education is authorized to transfer 50 percent of the estimated district grant amount by  
24 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days  
25 of the final approval of the district application for funding.

26 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3  
27 will be allocated to the University of Delaware and \$169.1 to Delaware State  
28 University to fund summer programs for the professional development of teachers. It is

1 intended that curriculum of the summer classes offered through this program, to  
2 teachers and aides, be consistent with the curriculum standards which are currently  
3 under development or have previously been adopted by the Department of Education.  
4 Both the University of Delaware and Delaware State University shall incorporate into  
5 their Summer School for Teachers course structure, the appropriate and necessary  
6 elements that will enable participants to develop relevant classroom curriculum as well  
7 as to gain additional exposure to best teaching practices in the standardized content  
8 areas. The Department of Education shall continue to make staff available to assist each  
9 institution in the preparation of the summer coursework. Future budget requests for  
10 this program will be made by the Department of Education in their annual budget  
11 request, following consultation with the University of Delaware and Delaware State  
12 University.

13 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and  
14 curriculum development activities in the content areas of reading and social studies.  
15 The Department of Education shall determine, in coordination with the agency (or  
16 agencies) performing such activities, the training goals and objectives, including how  
17 the objectives of Standards and Assessment will be furthered. The Department of  
18 Education, Controller General and Director of the Office of Management and Budget  
19 shall ensure that the proposed development activities are cost efficient and meet the  
20 objectives outlined in this section before agreeing to transfer the appropriation from the  
21 Department of Education to the operating agency.

22 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of  
23 Education shall determine, in coordination with the agency (or agencies) operating this  
24 program, the goals and objectives of this program, including how it will further the  
25 objectives of Standards and Assessment. The Department of Education, Controller  
26 General and Director of the Office of Management and Budget shall ensure that the  
27 proposed program is cost efficient and meets the objectives outlined in this section

1 before agreeing to transfer the appropriation from the Department of Education to the  
2 operating agency.

3 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,  
4 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
5 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the  
6 creation of a Reading to Reading Cadre which will provide assistance to districts in  
7 designing, demonstrating and implementing best practices in reading instruction. Such  
8 position shall be responsible for curriculum alignment and professional development in  
9 reading for district educators.

10 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by  
11 the Department of Education for administrative costs during the coordination of  
12 teachers seeking national certification from the National Board for Professional  
13 Teaching Standards (NBPTS).

14 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of  
15 Education to implement a program for a career pathway for school district  
16 paraprofessionals at Delaware Technical and Community College.

17 (13) \$25.0 for Models of Excellence. These funds shall be used to identify the  
18 achievements of Delaware schools, to learn from program success in improving student  
19 achievement and to recognize and share best practices among districts.

20 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
21 Department of Education for professional accountability and instructional advancement activities.

22 Section 294. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
23 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
24 \$27,898.9 shall be used to fund units for academic excellence in the school districts in accordance with 14  
25 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
26 of Division I Units each district enrolls on the last school day in September. School districts may use the  
27 funds to: purchase computer hardware, software or services; calculators; library resources; fund  
28 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district

1 is entitled to less than one nurse per school; provide a student work-study program; provide conflict  
2 resolution training; provide extended day or extended year programs for students performing below the  
3 standard level; and provide stipends for professionals engaged in curriculum or professional development  
4 activities sponsored by a local school district or the Department of Education, outside of the regular  
5 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
6 services. No homebound funds may be spent to provide services to students who have been suspended or  
7 expelled from school, except for special education students. The Department of Education shall provide  
8 an annual summary of school district plans for use of Academic Excellence funds to the Director of the  
9 Office of Management and Budget and Controller General no later than December 1 of each year.

10 Section 295. For the fiscal year beginning July 1, 2005, any local school district that has had two  
11 consecutive failed current expense tax referendums during the time period July 1, 2003 to January 1,  
12 2006, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
13 units provided under that program. This provision will apply for Fiscal Year 2006 only. In addition,  
14 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
15 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
16 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

17 Section 296. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block  
18 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It  
19 is the intent that this money be used to provide summer programs including an eighth grade program in  
20 environmental heritage.

21 Section 297. Section 1 of this Act provides an appropriation of \$250.0 to Public Education,  
22 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALOUD  
23 Delaware program. READ-ALOUD Delaware is to continue to develop and foster programs for the  
24 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them  
25 for learning. The monies passed through to READ-ALOUD Delaware shall be used to provide programs  
26 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

27 Section 298. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block  
28 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 299. 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 300. 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 301. 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 Director of the Office  
23 of Management and Budget and the Controller General on or before April 1 on the actions and results of  
24 actions required by this section.

25 Section 302. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
26 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services  
27 Cost Recovery Project (CSCR). 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 303. 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 Department 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  
28 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be

1 limited to the delivery of services related to the Department of Education or local school district  
2 approved school programs conducted within the course of the regular school day at a Department of  
3 Education or local school district approved school site or least restrictive environment location. The  
4 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do  
5 so to represent himself to the public by any title or description of services incorporating the words  
6 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
7 as may be herein specifically provided.

8 Section 304. The Interagency Resource Management Committee (IRMC) fosters an interagency  
9 approach in coordinating the delivery of early care and education services in Delaware, and the  
10 establishment and operation of the Office of Early Childhood.

11 The IRMC will coordinate the implementation of the recommendations of the October 1999  
12 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
13 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
14 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
15 year. Each report shall include:

- 16 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 17 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

18 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
19 section.

20 The Director of the Office of Management and Budget and the Controller General are hereby  
21 authorized to transfer funds among the budgets of the departments represented on the IRMC if there is  
22 prior agreement by the secretary of the department, as the case may be, to which the funds were  
23 previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC  
24 shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be  
25 composed of a director, an assistant director and a clerical support position. Funding shall be provided by  
26 the Department of Health and Social Services and the Department of Services for Children, Youth and  
27 Their Families no later than July of each fiscal year to support the operational costs associated with the  
28 assistant director and clerical support positions. Funds allocated in this section are to be used to support

1 the work of the Office and to continue the interagency evaluation process for Delaware's early childhood  
2 programs.

3 Section 305. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
4 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

5 (a) A total of \$3,520.0 is allocated for the statewide implementation of programs for severe  
6 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
7 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
8 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
9 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
10 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
11 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
12 opportunities. A total of \$100.0 is allocated to increase resources for programs in Kent and Sussex  
13 Counties and shall be equally divided between the two programs. If funds are used for personnel costs,  
14 they may only be used for the state share in accordance with the schedules contained in 14 Del. C.,  
15 Chapter 13.

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 \$7,699.8 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 are used for personnel costs, they may only be used for the state share in accordance with  
23 the schedules contained in 14 Del. C., Chapter 13.

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 \$3,595.6 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) \$3,595.6 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.

27 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
28 of Services for Children, Youth and Their Families shall administer a competitive

1 Request for Proposal (RFP) process to determine grant awards to local districts. Grant  
2 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation  
3 of proposals can be, but are not limited to, the following: links to Part II discipline  
4 funding or other district resources; the use of collaborative partnerships; the relative need  
5 of the local school district community; and the recognition within a proposal of the need  
6 to provide services to meet the presenting problems of both the child and the family. To  
7 the extent possible, the Department of Services for Children, Youth and Their Families is  
8 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid  
9 eligible children. Funds resulting from these efforts may be used to expand these  
10 services with prior approval of the Director of the Office of Management and Budget and  
11 the Controller General.

12 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup>  
13 General Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative  
14 school program. The program shall be developed utilizing research based best-practice models as  
15 described in “Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999”.  
16 The program shall provide year-round services to no more than 100 students. This program shall be  
17 considered a special school for the purposes of charging tuition payments to be made by school districts  
18 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30  
19 percent of the total cost of the program. The New Castle County Consortium shall oversee administration  
20 of the program, and may enter into contractual arrangements to operate the program. Such oversight shall  
21 include an annual evaluation of the program to be submitted to the Department of Education.

22 Section 306. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
23 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
24 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would  
25 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all  
26 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
27 school districts and other ICT agencies.

1           Section 307. Any placement made pursuant to 14 Del. C. § 3124 in which the individual  
2 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

3           Section 308. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
4 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
5 Vocational. This appropriation shall be used to continue the program of vocational education for  
6 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a  
7 maximum of six units, prior to application of the vocational deduct, in a single program. The unit shall be  
8 based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first full unit  
9 and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

10          Section 309. (a) Section 1 of this Act provides an appropriation to Public Education, Block  
11 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in  
12 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low  
13 achieving students in order that they may improve their academic performance in the four primary content  
14 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state  
15 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's  
16 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative  
17 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to  
18 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,  
19 up to 50 percent may be used within the normal school day provided the services are in the form of  
20 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the  
21 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this  
22 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant  
23 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the  
24 district application for funding.

25           (b) The following criteria shall apply to each of the components of the Extra Time for Students  
26 Program.

27           (1) In order to qualify for an allocation, each district shall submit an application to the  
28 Department of Education as part of the districts' consolidated application. The application

1 must show evidence of building level staff involvement in the development of the district  
2 proposal.

- 3 (2) The application provided to the Department of Education shall indicate the student  
4 populations to be served, the type of program(s) proposed, the levels of academic  
5 improvement the additional services are intended to achieve, and the measurement and/or  
6 evaluation process the district will use to determine program effectiveness. Associated  
7 transportation costs shall also be included in the district application.
- 8 (3) Funding for this component shall only be used for academic instruction or remediation  
9 programs that are offered to a targeted population of low achieving students. Should funds be  
10 used during the regularly scheduled six and one half hour school day, said funds must be used  
11 to hire additional instructional staff to provide additional instruction or remediation to the  
12 targeted population in one of the four core curriculum areas. Prior to the expenditure of funds  
13 during the regular school day, districts must obtain the approval of the Secretary of  
14 Education, Director of the Office of Management and Budget and Controller General and  
15 must certify to the Secretary of Education, Director of the Office of Management and Budget  
16 and Controller General that sufficient resources remain to operate the mandated summer  
17 school program. The Department of Education shall promote the use of “Best Practices” in  
18 this area through all available means.
- 19 (4) Funds appropriated pursuant to this section may not be used for curriculum development or  
20 staff training functions, but may be used for the purchase of supplies and materials necessary  
21 to operate extra time programs. To the extent that these funds are used to pay salary  
22 expenses, they may only be used for the state share in accordance with the schedules  
23 contained in 14 Del. C., Chapter 13.
- 24 (5) In order to maximize resources provided under this program, local school districts are  
25 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the provisions of  
26 14 Del C. § 1902(b).

1 (6) Local school districts may use funds appropriated pursuant to this section to contract with  
2 private or non-profit instruction or tutoring services provided that there is evidence of  
3 building level conversations regarding contracted services.

4 (7) If, after the applications are received by the Department of Education, a local district does not  
5 choose to utilize the full amount to which they are entitled, the Department of Education may  
6 allocate any remaining amount through a competitive RFP process.

7 (c) The following criteria shall apply to the component of the program that serves students in any  
8 grade levels:

9 (1) Allocations for this component shall be provided in proportion to the total Division I  
10 units in each school district, multiplied by the state portion of the average teacher salary  
11 in the district in the immediately preceding fiscal year.

12 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
13 \$400.0 is to be utilized.

14 (1) Allocations for this component shall be provided in proportion to the regular K-3  
15 Division I units in each school district, multiplied by the state portion of the average  
16 teacher salary in the district in the immediately preceding fiscal year.

17 (2) 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 (3) 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 (4) The funding for this component may provide services outside of the normal school  
27 operation timeframe or may be used during the regular school day, provided however that

1 the services being offered are supplemental to the reading instruction the student would  
2 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 310. Section 1 of this Act appropriates 32.7 FTEs, of which up to 4.0 shall be authorized  
11 as teachers/supervisors, 24.7 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 Director of the Office of Management and Budget and  
26 Controller General may transfer funds between lines and departments to pay for this program.

27 Section 311. Any provisions of the Delaware Code to the contrary notwithstanding, the  
28 Department of Education is authorized and directed to provide aides for the purpose of providing

1 mainstreaming services to deaf students as follows: three in Capital School District, three in Cape  
2 Henlopen School District and one in Milford School District.

3 Section 312. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
4 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
5 Consortium is formed to provide for overall program development and management, coordination and  
6 technical assistance. The Consortium will review and provide technical assistance and in-service training  
7 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
8 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
9 and federal legislation.

10 The Consortium Board of Directors shall include: the President or designee of the Delaware  
11 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
12 School District, Polytech School District and the Sussex County Technical School District; the State  
13 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
14 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
15 State University and Wilmington College and one representative of business and industry. The  
16 superintendent or designee of two comprehensive local school districts will also be appointed  
17 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
18 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
19 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
20 are eligible.

21 Polytech School District will act as financial agent for the Consortium and an annual financial  
22 and program report will be submitted to the co-chairs of the Joint Finance Committee.

23 The Consortium may select another member to serve as the financial agent in a subsequent year  
24 consistent with the rules and procedures it adopts.

25 Section 313. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
26 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
27 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
28 support and enrichment for students. Funding shall provide approximately six to ten pilot programs

1 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
2 businesses. The Department of Education shall administer a competitive grant process focused on the  
3 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
4 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
5 and outreach to parents, especially those who are reluctant to interact with schools.

6 Section 314. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
7 Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated, \$1,000.0 shall  
8 be used to provide services to Limited English Proficient (LEP) students.

9 The Department of Education shall administer an application process to determine grant awards  
10 to local districts.

11 To the extent that these funds are used to pay salary expenses, they may only be used for the state  
12 share in accordance with the schedules contained in 14 Del. C., Chapter 13.

13 Section 315. Section 1 of this Act appropriates \$7,305.9 to Public Education, Block Grants and  
14 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall  
15 provide one Reading Resource Teacher in each school, excluding state approved special schools, as long  
16 as it maintains a grade configuration including any combination of grades Kindergarten through Fifth.  
17 Reading Resource Teachers shall provide direct reading instruction to students which must include  
18 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading  
19 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading  
20 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.  
21 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with  
22 documented classroom success in teaching reading.

23 This appropriation will provide districts and charter schools with the state share of salaries in  
24 accordance with 14 Del. C. § 1305 for 10-month Reading Resource Teachers, as well as the appropriate  
25 per unit amount of Division III funding. In order to maximize resources provided under this program  
26 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the  
27 provisions of 14 Del. C. § 1902(b).



1           Section 316. Section 1 of this Act appropriates \$1,311.7 to Public Education, Block Grants and  
2 Pass Through Programs, Special Needs Programs for Mathematics Specialists. This funding shall provide  
3 one Mathematics Specialist to the following 22 schools, containing a grade configuration of grades sixth  
4 through eighth with the highest percentage of eight-grade students scoring below the standard on the  
5 mathematics component of the 2004 DSTP: Marion T. Academy Charter School; Woodbridge Middle,  
6 Woodbridge; George V. Kirk Middle, Gauger-Cobbs Middle and Shue-Medill Middle, Christina; Central  
7 Middle, Capital; Conrad Middle, Alexis I. duPont Middle and Stanton Middle, Red Clay; Seaford Middle,  
8 Seaford; Talley Middle, Brandywine; George Read Middle and New Castle Middle, Colonial; Campus  
9 Community Charter School; Thomas Edison Charter School; Sussex Central Middle, Indian River;  
10 Smyrna Middle, Smyrna; Laurel Middle, Laurel; Positive Outcomes Charter School; Middletown Middle,  
11 Appoquinimink; Milford Middle, Milford; Delmar Middle, Delmar.

12           Mathematics Specialists shall be utilized during the regular school day with students who need  
13 additional support and instruction in standards based mathematics with the intent that the students would  
14 be taught the skills they need to meet the Delaware mathematics standards as assessed by the DSTP.

15           This appropriation will provide schools within districts and charter schools with the state share of  
16 salaries in accordance with 14 Del. C. § 1305 for 10-month Mathematics Specialists, as well as the  
17 appropriate per unit amount of Division III funding. In order to maximize resources provided under this  
18 program local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant  
19 to the provisions of 14 Del. C. § 1902(b).

20           Section 317. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,  
21 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
22 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
23 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation  
24 Committee, consisting of representatives from the Department of Education, Controller General's Office,  
25 Office of Management and Budget and representatives for bus contractors and school district  
26 transportation supervisors shall make recommendations to the Director of Office of Management and  
27 Budget and Controller General for revisions to components of the transportation formula no later than  
28 April 1, 2005.

1 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2006,  
2 shall be allocated and shall not exceed \$61,889.9 (of which \$4,466.3 is designated as a transportation  
3 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
4 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
5 amendments and procedural modifications:

6 (1) The per gallon price used to calculate the fuel allowance shall be based on the state  
7 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.28 per gallon for  
8 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,  
9 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more  
10 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,  
11 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).  
12 Upon determination by the Department of Education that a contractor located North of  
13 the Chesapeake and Delaware Canal and operating five or fewer buses does not have  
14 existing storage capacity in the large tank range, the per gallon price shall be based on the  
15 smaller tank size.

16 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
17 preceding fiscal year. Funding adjustment will be made when the annual average price  
18 increases or decreases by at least five cents per gallon. The first review will be based on  
19 the annual averages through December 31 of each year and additional reviews will be  
20 conducted each month thereafter until April 30. Reviews may also be conducted at any  
21 time upon the request of the Director of Office of Management and Budget and  
22 Controller General.

23 (2) Adjustments to the Fiscal Year 2006 operating allowance will be determined by the Co-  
24 chairs of the Joint Finance Committee, the Director of Office of Management and Budget  
25 and Controller General as a result of the Public School Transportation Committee  
26 recommendations.

27 (3) For the fiscal year ending June 30, 2006, the allowable cost of a new unused bus that was  
28 purchased by a contractor and put on contract and that was produced between January 1,

1 2005 and December 31, 2005 (as noted on the school bus identification plate) shall begin  
2 its seven-year capital allowance schedule using the 2005 state bid price for new school  
3 buses, minus two percent for salvage value, plus eleven percent to account for dealer  
4 charges and profits not reflected in the state bid price due to the higher number of buses  
5 being purchased and the lag time between ordering and delivery. Any bus produced and  
6 placed in service after January 1, 2006 of the current fiscal year shall be entitled to an  
7 allowance based on the 2006 state bid price.

8 A used bus placed in service shall utilize the allowance schedule which would have been  
9 allowed had the bus been placed in service when new based on its production date. The  
10 bus shall receive the remaining years of capital allowance. The Department of Education  
11 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the  
12 allowable cost for any size bus that it did not bid in Fiscal Year 2005. In addition to the  
13 procedure for establishing the allowable cost of a new bus specified above, the  
14 Department of Education is requested to structure its bids for buses in the fiscal year  
15 ending June 30, 2006, in such a manner that public school bus contractors will be  
16 permitted to purchase buses from the successful lower bidder at the same price as the  
17 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
18 base bid of an awarded contract minus two percent for salvage value will be the  
19 allowable cost in subsequent reimbursements to the contractor.

20 (4) Adjustments to the Fiscal Year 2006 school bus contractor insurance allowance will  
21 be determined by the Co-chairs of the Joint Finance Committee, the Director of Office  
22 of Management and Budget and Controller General as a result of the Public School  
23 Transportation Committee recommendations.

24 (c) The Department of Education shall amend its transportation formula to permit replacement of  
25 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle  
26 which has operated 150,000 school-related miles regardless of the age of the vehicle.

1 (d) The Department of Education is authorized to amend its formula to allow the purchase of  
2 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer  
3 available.

4 (e) Except as specified in this section, or for changes in the price of fuel, or for the  
5 adjustments of those items changed by state or federal laws, the Department of Education shall not  
6 change the transportation formula unless the change has been authorized by the General Assembly and  
7 an appropriation therefore has been made by the General Assembly.

8 (f) The Department of Education is authorized to amend its formula such that automatic  
9 transmission shall be considered standard equipment on contractor and school district bus purchases.

10 (g) The Department of Education is authorized to amend its transportation formula to change the  
11 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-  
12 gallon.

13 (h) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
14 maximum of twelve air conditioned buses to transport special need students. The Department of  
15 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
16 required to transport special education students that have a medical need for air conditioning (specified by  
17 a physician), and that go to a special education school.

18 Section 318. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the  
19 Department of Education, modifications requested by charter schools associated with the provision of  
20 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be  
21 considered a minor modification.

22 Section 319. Notwithstanding any other provisions of the Delaware Code or this Act to the  
23 contrary, the Department of Education is authorized to approve and provide funding for additional  
24 transportation routes necessary to support the Seaford School District's pilot implementation of a  
25 balanced calendar schedule, beginning in Fiscal Year 2003.

26 Section 320. (a) During the fiscal year, the Department of Education is hereby directed to  
27 provide bus transportation of public school students previously declared ineligible by the Unique Hazards  
28 Committee, including the following:

- 1 (1) Students attending the Stanton Middle School who are now forced to walk along  
2 Telegraph Road with a constant threat of injury.
- 3 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
4 Road with a constant threat of injury.
- 5 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
6 who attend the Seaford schools, grades K-6.
- 7 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
8 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 9 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
10 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
11 to duPont Street on the east-west grid.
- 12 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
13 along Kirkwood Highway with a constant threat of injury.
- 14 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
15 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 16 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
17 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 18 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
19 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
20 Route 404 or Route 18.
- 21 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
22 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
23 along U.S. 13 in order to reach school.
- 24 (11) Students attending the Concord High School who live south of Naamans Road in the  
25 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
26 along Grubb and/or Naamans Road with a constant threat of injury.
- 27 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
28 Laurel and the surrounding areas.

- 1 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
2 Avenue.
- 3 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
4 along Bellevue Road.
- 5 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
6 over and/or walk along River Road between Lore and Bellevue.
- 7 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
8 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.
- 9 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of  
10 hazards of Route 4 at Pierson Drive intersection.
- 11 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
12 School.
- 13 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
14 railroad tracks.
- 15 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
16 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
17 Route 13A.
- 18 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
19 Brook areas, students who reside in the Woodacre Apartments and students who live along  
20 Peachtree Road.
- 21 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
22 Eden Ridge who must cross Concord Pike.
- 23 (23) Sussex Central High School and Georgetown Elementary School students who live east  
24 of Bedford Street.
- 25 (24) Lombardy Elementary School students who must cross Foulk Road.
- 26 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 27 (26) Students attending the Colwyck Elementary School who live in the Landers Park and  
28 Swanwyck Gardens residential areas.

- 1 (27) Students attending Central Middle School, living in the area south of Kent General  
2 Hospital, to include students living along and south of Westview Terrace, Dover Street, Hope  
3 Street and Sackarackin Avenue.
- 4 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 5 (29) Students attending Brandywine High School who live in Concord Manor and are forced  
6 to walk along Shellpot Drive and Windley Hill.
- 7 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
8 in the Smyrna School District who live on Buresch Drive.
- 9 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
10 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
11 Brandywine School district who lives along Grubb Road (between Naamans Road and Marsh  
12 Road) or lives in a neighborhood which enters directly onto Grubb Road (between Naamans  
13 Road and Marsh Road) shall continue to receive bus transportation to and from school.
- 14 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
15 Darley Road Elementary School.
- 16 Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
17 Westfield who must cross Limestone Road.
- 18 Students attending Warner Elementary or Warner Kindergarten who also attend the  
19 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.
- 20 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap  
21 Pike.
- 22 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
23 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and in  
24 the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on The  
25 Governor Printz Boulevard.
- 26 (37) Students attending the Woodbridge School District, who live in the Canterbury  
27 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment  
28 complex in lieu of the bus stop area along the heavily traveled U.S. 13.

1 (b) The transportation of the students specified herein shall continue until the funds requested are  
2 appropriated and construction is completed. Spur routes shall continue to be served as at present.

3 Section 321. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
4 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
5 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
6 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
7 traveling from routes to and from the Southern Delaware School of the Arts.

8 Section 322. During the fiscal year, the Department of Education will continue and broaden  
9 implementation of the computerized routing system for school bus transportation. During this  
10 implementation, the Department is directed to continue to provide bus transportation services to any  
11 residential area which has received transportation services since October 1, 1977.

12 Section 323. The National Highway Traffic Safety Administration (NHTSA) is conducting a  
13 research program to consider alternative methods of potentially improving federal school bus passenger  
14 crash protection requirements. Based upon NHTSA's report, the Department of Education will  
15 recommend changes to the Delaware school bus specifications so that all school buses will continue to be  
16 in compliance with federal safety standards.

17 Section 324. Section 1 of this Act provides an appropriation to Public Education, Pupil  
18 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.  
19 C. § 4366, the following reimbursement methodology is in effect:

20 (a) For those school districts or private contractors who are operating school buses equipped with  
21 cellular phone technology or have no radio or telephonic communication equipment, the Department of  
22 Education is authorized to bring said districts and contractors under a State negotiated cellular phone  
23 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,  
24 subject to the availability of funds.

25 (b) For those school districts or private contractors who are operating school buses equipped with  
26 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the  
27 installation cost of the radio equipment on a one-time basis.



1           Section 325. Section 1 of this Act appropriates \$1,000.0 to the Department of Education,  
2 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall  
3 administer a non-competitive application process to determine grant awards to local school districts and  
4 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting  
5 the maintenance of existing equipment in the schools either through the use of a full time technology  
6 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as  
7 may arise which could improve or enhance the technology capabilities of the district. To the extent that  
8 these funds are used to pay salary expenses, they may only be used for the state share in accordance with  
9 the schedules contained in 14 Del. C., Chapter 13. Funding will be distributed based on the formula  
10 developed and approved by the co-chairs of the Joint Finance Committee in Fiscal Year 2001. Local  
11 districts are encouraged to match their allocation pursuant to the provisions of 14 Del. C. § 1902(b),  
12 provided the local match does not exceed those established under 71 Del Laws, c. 378. It shall be the  
13 responsibility of the Department of Education to receive and disburse these funds. The department shall  
14 also be charged with the authority to verify the use of the funds and shall require each school district to  
15 annually report on expenditures of the funds.

16           Section 326. Section 1 of this Act provides an appropriation to the Department of Education,  
17 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET  
18 be responsible for and engage in activities related to total project needs and budgets for statewide  
19 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of  
20 instructional technology programs, implementation on an on-going basis of professional training  
21 programs related to statewide education technology and providing technical assistance to the Department  
22 of Education for the initiation of system-wide applications including administrative and curriculum  
23 development.

24           The Department of Technology and Information shall support and enhance statewide education  
25 technology issues and network. In addition, DTI will collaborate with the Department of Education to  
26 provide professional training programs related to using technology in schools which promote and support  
27 Delaware's education standards initiative.

1           Section 327. The provisions of this Act to the contrary notwithstanding, consistent with the  
2 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional  
3 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra  
4 Time for Students, Limited English Proficient, Academic Excellence, Technology Block Grant and Minor  
5 Capital Improvements program will not be required to submit an application to the Department of  
6 Education. Any funds received as a result of the allocation of these programs may be used for current  
7 operations, Minor Capital Improvements, Debt Service payments or tuition payments.

8           Section 328. Section 1 of this Act makes an appropriation to the Department of Education,  
9 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount,  
10 \$36.7 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14  
11 Del. C. c. 34; \$235.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the  
12 MERIT Scholarship Program; \$100.0 shall be used for the Professional Librarian/Archives Incentive  
13 Program; \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; and  
14 \$250.0 for Delaware Teacher Corps. Any Herman M. Holloway Sr. Scholarship Program funds  
15 remaining after payment of the Holloway Scholarships, may be awarded to Delaware State University  
16 students with financial need who applied to the Scholarship Incentive Program.

17           Section 329. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
18 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any  
19 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
20 subsequent year with approval of the Department of Education. In the event that actual awards exceed  
21 projected award amounts, spring awards may be reduced to cover the difference.

22           Section 330. Effective July 1, 2004, the Department of Education, in accordance with 14 Del. C.  
23 Section 183, shall integrate at the level approved by the Joint Finance Committee on June 2, 2004.

24           Section 331. Section 1 of this Act makes an appropriation of \$100.0 to the Department of  
25 Education, Delaware Higher Education Commission (95-08-01) for the National Board Certification Loan  
26 Program. DHEC shall administer a non-competitive loan program for educators pursuing certification  
27 from National Board for Professional Teaching Standards. Loans shall be made to cover costs associated  
28 with the application fee and assessment process. If there are more individuals requesting funds than funds

1 appropriated, DHEC shall prorate the loans provided. Loans shall be interest-free as long as funds are  
2 repaid within two years of achieving National Board Certification or within three years from the start of  
3 the program whether the borrower is successful or not. If the loan repayment is not fulfilled within the  
4 aforementioned terms, the borrower must repay all funds received with interest as determined by the  
5 Delaware Higher Education Commission. Funds in this account shall be interest bearing. Delaware  
6 Higher Education Commission is authorized to use up to \$10.0 annually from the Loan Program to offset  
7 operational costs.

8 Section 332. The Delaware Higher Education Commission is hereby authorized to use up to  
9 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the  
10 recognition of students who are awarded scholarships associated with that appropriation.

11 Section 333. During the fiscal year, the Department of Education, with the approval of the State  
12 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
13 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
14 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
15 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the  
16 Department of Education is authorized to engage the professional services of a cadre of single hearing  
17 officers to preside over such hearings.

18 Section 334. The Brandywine School District Board shall maintain as a stand alone program its  
19 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
20 Academically Gifted Program) at least through the end of the 2006 - 2007 school year. The program shall  
21 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently  
22 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,  
23 recruitment, assessment of students for entry into the program, curriculum development, teacher  
24 assignment and other support elements as currently exist.

25 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to  
26 its configuration as a stand alone program at its current locations prior to July 1, 2005.

27 Section 335. The Department of Education shall continue to work towards the collection of  
28 school-level financial data. To this end, when processing transactions in the Delaware Financial

1 Management System (DFMS), local school districts shall use a standard set of program codes as  
2 established by the Department of Education effective July 1, 2003.

3 Section 336. In accordance with the statewide healthcare reconciliation, beginning in Fiscal Year  
4 2004 Capital School District will pay one-fifth of the total amount owed each fiscal year, ending in Fiscal  
5 Year 2008.

6 Section 337. 72 Del. Laws, c. 258 appropriated \$4,000.0 to the Appoquinimink School District to  
7 implement a \$4,500.0 Critical Classroom Acquisition Program (CCAP). The total local share of this  
8 project shall be \$1,300.0. In Fiscal Year 2000, the district utilized \$500.0 of its Division III Equalization  
9 funds. The remaining \$800.0 shall be repaid by the State withholding Division III Equalization funds in  
10 accordance with the following schedule:

11	Fiscal Year 2001	\$160.0
12	Fiscal Year 2002	\$160.0
13	Fiscal Year 2003	\$160.0
14	Fiscal Year 2005	\$160.0
15	Fiscal Year 2006	\$160.0

16 Section 338. The Department of Education is authorized to work with the public school districts  
17 to develop options for a flexible funding pilot program for school districts. Upon approval of the Director  
18 of the Office of Management and Budget, Controller General and Joint Finance Committee Co-Chairs, up  
19 to two school districts may pilot in Fiscal Year 2006.

## 20 **SYNOPSIS**

This Bill is the Fiscal Year 2006 Appropriation Act.