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DEPARTMENTS

Year ending June 30, 2006

(01-00-00) LEGISLATIVE

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Personnel		
NSF	ASF	GF
		31.0
		31.0

(01-01-01) General Assembly - House

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			4,406.4
			58.2
			37.6
			400.0
			40.0
			30.0
			323.6
			30.0
			5,325.8

(01-02-01) General Assembly - Senate

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

		18.0
		18.0

	2,687.4
	52.3
	20.2
	192.0
	35.0
	45.0
	25.0
	175.1
	75.0
	3,307.0

(01-05-01) Commission on Interstate Cooperation

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

	20.0
	100.0
	40.0
	0.5
	146.9
	434.0
	89.0
	3.0
	3.0
	25.0
	3.0
	864.4

(01-00-00) LEGISLATIVE

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
2							
3							
4							
5							
6							
7			19.0				
8							1,226.2
9							18.3
10							165.1
11							119.7
12							30.0
13							4.5
14							55.0
15							38.5
16			19.0				1,657.3
17							
18							
19			15.0				1,259.8
20							14.4
21							414.1
22							70.0
23							27.0
24							8.3
25							15.0
26							10.0
27							25.0
28							10.0
29							50.0
30							25.0
31							50.0
32							35.0
33							30.0
34							
35			15.0				2,043.6
36							
37							
38							1.1
39							220.8
40							0.5
41							222.4
42							
43							
44							17.0
45							18.1
46							0.2
47							35.3
48							
49			34.0				3,958.6
50							
51							
52			83.0				13,455.8

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF
11.3		27.0
11.3		27.0

(02-01-00) Supreme Court

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

TOTAL -- Supreme Court

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		9.5	2,464.7
		6.8	13.4
		121.4	160.1
		5.0	38.1
		6.7	
			1.0
		149.4	2,677.3

		27.0
11.3		27.0
11.3		27.0

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

149.4	2,677.3
149.4	2,677.3

(02-02-00) Court of Chancery

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Court of Chancery

	21.0	29.0
	21.0	29.0

626.6	2,458.5
5.5	13.0
985.8	55.7
37.5	26.0
35.0	
1,690.4	2,553.2

	21.0	29.0
	21.0	29.0

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

1,690.4	2,553.2
1,690.4	2,553.2

(02-03-00) Superior Court

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Superior Court

2.0		289.5
2.0		289.5

	16,852.1
	53.2
	1,077.0
	234.2
	56.0
	18,272.5

2.0		289.5
2.0		289.5

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

	18,272.5
	18,272.5

(02-06-00) Court of Common Pleas

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- Court of Common Pleas

	4.0	125.0
	4.0	125.0

174.3	7,194.1
	11.0
	193.8
	91.2
4.0	7.1
178.3	7,497.2

	4.0	125.0
	4.0	125.0

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

178.3	7,497.2
178.3	7,497.2

(02-00-00) JUDICIAL

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Personnel		
NSF	ASF	GF

1.0	64.0	269.0
1.0	64.0	269.0

1.0	64.0	269.0
1.0	64.0	269.0

		246.5
		246.5

		246.5
		246.5

(02-08-00) Family Court

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay
Child Protection Registry Appeals
TOTAL -- Family Court

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

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

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Debt Service
TOTAL -- Justices of the Peace Courts

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

		3,174.9	15,170.5
		12.3	30.6
		217.5	443.3
		62.2	129.6
		48.0	
		113.3	
		3,628.2	15,774.0

3,628.2	15,774.0
3,628.2	15,774.0

			12,762.2
			9.4
			1,287.4
			94.5
			131.2
			12.5
			327.8
			14,625.0

	14,625.0
	14,625.0

(10-00-00) EXECUTIVE

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			(10-01-01) Office of the Governor					
	1.0	24.0	Personnel Costs			57.2	2,066.9	
			Travel			0.5	14.5	
			Contractual Services			140.9	165.1	
			Supplies and Materials			0.2	22.7	
			Other Items:					
			Woodburn Expenses				43.0	
			Contingency-Other Expenses				8.7	
	1.0	24.0	TOTAL -- Office of the Governor			198.8	2,320.9	
			(10-02-00) Office of Management and Budget					
19.8	165.5	232.0	Personnel Costs			8,475.4	13,339.7	
			Travel			92.8	57.8	
			Contractual Services			9,872.1	11,084.6	
			Energy			41.3	5,057.0	
			Supplies and Materials			2,721.0	1,913.2	
			Capital Outlay			4,946.4	37.7	
			Administration Other Items:					
			Trans & Invest			500.0		
			Agency Aide				374.7	
			Evaluation Projects				100.0	
			Payment in Lieu of Taxes				65.0	
			Budget Commission				50.0	
			Statistical Analysis Center Other Items:					
			Juvenile YRS			61.6		
			Budget Administration Other Items:					
			Development Projects				1,300.0	
			Budget Automation - Operations				38.0	
			Contingencies and One-Time Items:					
			One-Time				2,668.5	
			Contingency - Attorney Pay Plan				250.0	
			Livable Delaware				150.0	
			Prior Years' Obligation				450.0	
			Self Insurance				4,000.0	
			Legal Fees				2,900.0	
			Personnel Costs - Salary Shortage				400.0	
			Appropriated Special Funds			23,000.0		
			Civil Indigent Services				275.0	
			Salary/OEC Contingency				46,517.3	
			Selective Market II				4,500.0	
			Selective Market/Maintenance Reviews				997.6	
			Recruitment and Retention Education and Training Fund				500.0	
			Community Based Alternatives				250.0	
			Alternative Schools				400.0	
			Hazardous Duty				352.3	
			2 Year Nursing Expansion				1,750.0	
			4 Year Nursing Expansion				500.0	
			Kids Endowment Fund				50.0	
			Actuarial Studies for Health Care				250.0	
			KIDS Count				100.0	
			Great Beginnings				21.0	
			Judicial Nominating Committee				8.0	
			Post Retirement Increase				4,405.2	

(10-00-00) EXECUTIVE

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
5							11,926.7
6							17,500.0
7							150.0
8							
9							13.6
10							20.0
11							
12						210.0	
13							150.0
14						140.0	
15						5.0	
16							40.0
17							
18							190.0
19							88.0
20							
21						24,047.1	
22							
23						350.0	
24							3,513.3
25							
26							39.0
27						500.0	
28							
29						613.8	
30							18,937.0
31	19.8	165.5	232.0	TOTAL -- Office of Management and Budget		75,576.5	157,680.2

(10-00-00) EXECUTIVE

	Personnel				\$ Program		\$ Line Item	
					ASF	GF	ASF	GF
5				<i>Office of Management Services</i>				
6	5.2	23.5	62.3	(-05) Administration	2,182.9	6,940.6		
7				(-06) Budget Commission		50.0		
8	2.6		6.2	(-08) Statistical Analysis Center	61.6	575.2		
9				<i>Budget Development, Planning and</i>				
10				<i>Administration</i>				
11		3.0	18.0	(-10) Budget Administration	273.2	2,940.4		
12				(-11) Contingencies and One-Time	23,000.0	101,271.6		
13				Items				
14				<i>Statewide Human Resource</i>				
15				<i>Management</i>				
16		15.0	17.0	(-20) Human Resource Operations	967.2	1,078.2		
17		5.0	5.0	(-21) Staff Development and Training	699.9	646.7		
18				<i>Benefits and Insurance Administration</i>				
19	10.0	1.0	1.0	(-30) Statewide Benefits	56.3	320.9		
20		5.0		(-31) Insurance Coverage Office	24,047.1	1,978.6		
21		55.0		(-32) Pensions	7,810.7	3,552.3		
22				<i>Government Support Services</i>				
23			9.0	(-40) Mail/Courier Services	2,149.3	443.1		
24		15.0		(-41) Printing and Publishing	2,086.1			
25		31.0		(-42) Fleet Management	9,462.9			
26			6.5	(-43) Service and Information Guide	73.2	369.3		
27			15.0	(-44) Contracting	100.0	883.2		
28		5.0		(-45) Delaware Surplus Services	323.4			
29	2.0	4.0	4.0	(-46) Food Distribution	814.1	236.5		
30				<i>Facilities Management</i>				
31		3.0	88.0	(-50) Facilities Management	1,468.6	36,393.6		
32	19.8	165.5	232.0	TOTAL -- Internal Program Units	75,576.5	157,680.2		

(10-00-00) EXECUTIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
5				(10-03-00) Delaware Economic Development Office				
6				(10-03-01) Office of the Director				
7			10.0	Personnel Costs				820.0
8				Travel				23.6
9				Contractual Services				211.6
10				IT Grants			150.0	
11				Supplies and Materials				16.0
12				Capital Outlay				10.0
13				Welfare Reform				5.0
14				Workplace Literacy				5.0
15				Working Capital of Delaware				50.0
16				Vaccine Development - Fraunhofer Institute				250.0
17				Debt Service				4.1
18			10.0	TOTAL--Office of the Director			150.0	1,395.3
20				(10-03-02) Delaware Tourism Office				
21		10.0		Personnel Costs			543.4	
22				Travel			20.2	
23				Contractual Services			880.5	
24				Supplies and Materials			8.5	
25				Capital Outlay			10.0	
26				Other Items:				
27				Main Street			75.0	
28				Matching Grants and Grants			200.0	
29				Junior Miss			0.5	
30				Mother of the Year			0.8	
31				Young Mother of the Year			0.8	
32				Senior Miss Pageant			0.8	
33				Kalmar Nyckel			250.0	
34				Juneteenth			15.0	
35				National High School Wrestling Tournament			45.0	
36				Northeast Old Car Rally			5.0	
37				Flags and Pins			45.0	
38		10.0		TOTAL -- Delaware Tourism Office			2,100.5	
39				(10-03-03) Delaware Economic Development Authority				
41		5.0	31.0	Personnel Costs			300.8	2,146.0
42				Travel			20.0	39.4
43				Contractual Services			634.0	
44				Supplies and Materials			10.0	14.9
45				Energy			1.5	
46				Capital Outlay			30.0	10.0
47				Other Items:				
48				Taiwan Trade Office			125.0	
49				Delaware Small Business Development Center			375.0	100.0
50				Delaware Business Marketing Program			300.0	
51				International Trade				305.0
52				World Trade Center				225.0
53				Blue Collar			1,700.0	
54				Other Items				50.0
55				Debt Service				1,467.7
56		5.0	31.0	TOTAL -- Delaware Economic Development Authority			3,496.3	4,358.0
57				TOTAL -- Delaware Economic Development Office				
58		15.0	41.0				5,746.8	5,753.3

(10-00-00) EXECUTIVE

Personnel					\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF	
			(10-08-01) Delaware State Housing Authority					
6.0	39.0		Personnel Costs			2,399.1		
			Travel			99.5		
			Contractual Services			988.0		
			Energy			67.0		
			Supplies and Materials			86.1		
			Capital Outlay					
			Other Items:					
			Huling Cove			275.0		
			Capital Green			770.0		
			Housing Development Fund			28,800.0	4,050.0	
			Public Housing			500.0		
			Home Improvement Insurance			1,665.0		
			Debt Service				69.5	
6.0	39.0		TOTAL -- Delaware State Housing Authority			35,649.7	4,119.5	
40.0	221.5	325.8	TOTAL -- EXECUTIVE			118,405.4	174,922.1	

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(11-01-00) Office of the Chief Information Officer			
		4.0				489.6
						3.9
						320.0
						1.0
						20.0
		4.0	TOTAL -- Office of the Chief Information Officer			834.5
		4.0	(-01) Chief Information Officer			834.5
		4.0	TOTAL -- Internal Program Unit			834.5
			(11-02-00) Technology Office			
	8.5	90.5			589.2	8,646.3
					75.0	33.8
					5,575.0	636.5
					15.0	12.0
					40.0	
					2,415.0	1,354.0
	8.5	90.5	TOTAL -- Technology Office		8,709.2	10,682.6
		1.0	(-01) Chief Technology Officer			169.1
	3.0	31.0	2,729.9	3,637.8		
	3.5	24.5	1,168.2	2,221.1		
	2.0	27.0	4,811.1	3,854.5		
		7.0		800.1		
	8.5	90.5	TOTAL -- Internal Program Units		8,709.2	10,682.6
			(11-03-00) Operations Office			
	7.5	81.5			522.5	5,154.1
					39.7	27.7
					12,105.6	1,575.2
						306.2
					87.0	349.5
					98.6	9.3
						379.1
					5,634.5	12,764.9
	7.5	81.5	TOTAL -- Operations Office		18,487.9	20,566.0
		1.0	(-01) Chief Operating Officer		10,521.0	140.1
	4.5	27.5	(-02) Business Office		936.1	3,106.6
	3.0	53.0	(-04) Data Center and Operations		7,030.8	17,319.3
	7.5	81.5	TOTAL -- Internal Program Units		18,487.9	20,566.0

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-04-00) Office of Major Projects				
	2.0	24.0	Personnel Costs			109.6	1,627.7
			Travel				8.5
			Contractual Services				75.0
			Supplies and Materials				1.8
			Capital Outlay				1.0
			Rental				35.0
	2.0	24.0	TOTAL -- Office of Major Projects			109.6	1,749.0
		1.0	(-01) Director of Major Projects		261.4		
	2.0	18.0	(-02) Senior Project Management Team	109.6	1,234.1		
		5.0	(-03) Change Management Team		253.5		
	2.0	24.0	TOTAL -- Internal Program Units	109.6	1,749.0		
	18.0	200.0	TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION			27,306.7	33,832.1

(12-00-00) OTHER ELECTIVE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(12-01-01) Lieutenant Governor			
		6.0				468.3
						6.3
						23.1
						2.8
						7.7
		6.0				508.2
			(12-02-01) Auditor of Accounts			
	6.0	36.0			395.1	2,326.7
					5.0	25.4
					459.9	472.5
					8.4	12.9
					5.4	29.9
	6.0	36.0			873.8	2,867.4
			(12-03-00) Insurance Commissioner			
			(12-03-01) Regulatory Activities			
	25.0				1,892.7	
					25.8	
					276.6	
					6.5	
					20.1	
					10.5	
	25.0				2,232.2	
			(12-03-02) Bureau of Examination, Rehabilitation and Guaranty			
	2.0	52.0			2,634.0	
					78.3	
					834.5	
					38.5	
					316.4	
					39.9	
					13,500.0	
	2.0	52.0			17,441.6	
	2.0	77.0			19,673.8	

(12-00-00) OTHER ELECTIVE

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Personnel		
NSF	ASF	GF

	9.5	13.5
	9.5	13.5

	9.5	13.5
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2.0	92.5	55.5
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(12-05-00) State Treasurer
(12-05-01) Administration

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

(12-05-03) Debt Management

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

TOTAL -- State Treasurer

TOTAL -- OTHER ELECTIVE

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

	592.2	888.8
	20.2	6.6
	115.6	98.7
	9.4	9.9
	25.5	
	2,365.0	
	50.0	
	70.0	
	3,247.9	1,004.0

	358.9
	1,467.6
29,521.8	
	27,770.4
	85.0
29,521.8	29,681.9

	32,769.7	30,685.9
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53,317.3	34,061.5
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(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
42.6	55.9	283.5
	2.0	
42.6	57.9	283.5

(15-01-01) Office of Attorney General

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

TOTAL -- Office of Attorney General

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		939.4	20,668.0
		0.1	13.7
		659.6	1,808.3
			36.3
		0.3	61.4
		75.1	17.0
		148.8	
			40.0
		452.8	
		30.6	
		656.0	
		15.0	
		1,646.2	
		1,061.7	
		5,685.6	22,644.7

(15-02-01) Public Defender

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

TOTAL -- Public Defender

		136.0
		136.0

	11,015.8
	9.1
50.0	667.2
	57.3
	3.8
50.0	11,753.2

(15-03-01) Board of Parole

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

TOTAL -- Board of Parole

		8.0
		8.0

	499.8
	12.2
	37.7
	3.3
	553.0

42.6	57.9	427.5
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TOTAL -- LEGAL

5,735.6	34,950.9
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(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
5.0	11.0	42.0
5.0	11.0	42.0

(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
		665.7	2,348.1
		32.7	45.1
		1,320.2	406.0
			57.3
		107.0	105.6
		201.0	4.1
			180.8
			72.0
		2,326.6	3,219.0

	8.0	6.0
		7.0
		10.0
		6.0
		3.0
	3.0	2.0
5.0		1.0
		2.0
		4.0
		1.0
5.0	11.0	42.0

(-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

1,665.4	544.6
	507.1
75.0	689.0
34.5	381.9
	200.2
551.7	140.6
	100.1
	174.2
	350.2
	131.1
2,326.6	3,219.0

(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

(20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(20-03-00) Delaware Public Archives			
	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
						35.0
						895.4
	6.0	29.0	TOTAL -- Delaware Public Archives		390.5	2,664.9
	6.0	29.0	(-01) Delaware Public Archives		390.5	2,664.9
	6.0	29.0	TOTAL -- Internal Program Unit		390.5	2,664.9
			(20-04-00) Regulation and Licensing			
	69.0				4,549.1	
					126.4	
					2,739.3	
					67.9	
					160.4	
					10.0	
					54.5	
					15.0	
	69.0		TOTAL -- Regulation and Licensing		7,722.6	
	30.0		(-01) Professional Regulation		3,052.8	
	35.0		(-02) Public Service Commission		4,066.6	
	4.0		(-03) Public Advocate		603.2	
	69.0		TOTAL -- Internal Program Units		7,722.6	
			(20-05-00) Corporations			
	95.0				5,287.3	
					20.0	
					2,755.5	
					60.6	
					505.0	
					1,300.0	
					5,225.0	
	95.0		TOTAL -- Corporations		15,153.4	
	95.0		(-01) Corporations		15,153.4	
	95.0		TOTAL -- Internal Program Unit		15,153.4	

(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
6.9	1.5	41.1
6.9	1.5	41.1

(20-06-00) Historical and Cultural Affairs

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			85.0	2,228.4
Travel				5.2
Contractual Services				238.2
Energy				236.3
Supplies and Materials				74.3
Capital Outlay				14.5
Other Items:				
Art Object Refurbishing				15.0
Museum Operations			20.0	35.0
Museum Collections				15.0
Museum Conservation Fund				37.0
Museum Gift Shops			84.7	
Museum Grounds			1.0	
Museum Exhibits			13.1	
Conference Center Operations			83.9	
Conference Center Grounds			1.5	
Museum Marketing			3.0	
Museum Education			10.0	
Dayett Mills			23.5	
John Dickinson Plantation			19.6	
Italian/American Commission				100.0
Debt Service				166.2
TOTAL -- Historical and Cultural Affairs			345.3	3,165.1

	1.0	5.0
6.4		5.6
0.5	0.5	30.5
6.9	1.5	41.1

(-01) Office of Administration	189.3	702.3
(-03) Delaware State Historic Preservation Office		316.7
(-04) Delaware State Museums	156.0	2,146.1
TOTAL -- Internal Program Units	345.3	3,165.1

(20-00-00) DEPARTMENT OF STATE

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(20-07-00) Arts			
3.0		6.0				378.8
						2.4
						74.1
						3.0
						1,262.5
						10.0
3.0		6.0	TOTAL -- Arts			1,730.8
3.0		6.0				1,730.8
3.0		6.0	(-01) Office of the Director			1,730.8
3.0		6.0	TOTAL -- Internal Program Unit			1,730.8
			(20-08-00) Libraries			
9.0		12.0				624.1
						4.0
						153.7
						21.1
						21.6
						7.0
						3,869.5
						510.0
						600.0
						15.0
						1,023.5
9.0		12.0	TOTAL -- Libraries			6,849.5
9.0		12.0				6,849.5
9.0		12.0	(-01) Libraries			6,849.5
9.0		12.0	TOTAL -- Internal Program Unit			6,849.5
			(20-15-00) State Banking Commission			
	38.0				2,556.9	
					59.0	
					762.0	
					25.0	
					67.5	
	38.0		TOTAL -- State Banking Commission		3,470.4	
	38.0					
	38.0		(-01) State Banking Commission		3,470.4	
	38.0		TOTAL -- Internal Program Unit		3,470.4	
24.9	220.5	139.1	TOTAL -- DEPARTMENT OF STATE		29,418.8	18,143.2

(25-00-00) DEPARTMENT OF FINANCE

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	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
 EITC Marketing
 Debt Service

	1,548.9
	16.9
	184.0
	16.7
	1.5
1,897.5	
	50.0
	1,862.0
1,897.5	3,680.0

TOTAL -- Office of the Secretary

		18.0
		18.0

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

1,897.5	3,680.0
1,897.5	3,680.0

(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
		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

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Personnel		
NSF	ASF	GF

	29.0	
	29.0	

	29.0	
	29.0	

	47.0	250.0
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(25-07-00) State Lottery Office

Personnel Costs
Travel
Contractual Services
Supplies and Materials
Capital Outlay

TOTAL -- State Lottery Office

(-01) State Lottery Office

TOTAL -- Internal Program Unit

TOTAL -- DEPARTMENT OF FINANCE

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

	1,710.5		
	50.0		
	41,353.6		
	47.9		
	217.0		
	43,379.0		

43,379.0	
43,379.0	

47,889.7	18,659.6
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(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-01-00) Administration			
66.9	36.6	445.2			1,358.2	24,251.5
					12.7	4.6
					785.9	4,337.2
						133.5
					98.5	914.0
					215.0	21.2
					269.2	
					232.8	
						20.0
						570.4
					879.8	
						1,230.6
66.9	36.6	445.2	TOTAL -- Administration		3,852.1	31,483.0
			(35-02-00) Division of Medicaid and Medical Assistance			
	1.0	8.0	151.2	667.9		
66.9	35.6	154.1	2,821.1	15,087.9		
		283.1	879.8	15,727.2		
66.9	36.6	445.2	TOTAL -- Internal Program Units		3,852.1	31,483.0
			(35-02-00) Division of Medicaid and Medical Assistance			
101.8		74.3				4,058.7
						6.4
						3,591.0
						10.8
						20.8
						16.6
					7,874.3	
					1,215.0	
					508.7	
					355.0	
					249.0	2,403.8
					16,400.0	395,289.5
						3,284.7
					600.0	
					585.2	
						1,370.0
						1,450.0
						549.3
					75.1	
101.8		74.3	TOTAL -- Administration		27,862.3	412,051.6
			(35-02-00) Division of Medicaid and Medical Assistance			
101.8		74.3	27,862.3	412,051.6		
101.8		74.3	TOTAL -- Internal Program Units		27,862.3	412,051.6

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(35-04-00) Medical Examiner				
		41.0	Personnel Costs				2,855.7
			Travel				22.1
			Contractual Services				169.1
			Energy				75.1
			Supplies and Materials				496.7
			Capital Outlay				38.6
			Debt Service				10.2
		41.0	TOTAL -- Medical Examiner				3,667.5
		41.0	(-01) Medical Examiner		3,667.5		
		41.0	TOTAL -- Internal Program Unit		3,667.5		
			(35-05-00) Public Health				
249.2	57.8	1,225.1	Personnel Costs			550.1	56,075.7
			Travel				19.9
			Contractual Services			100.0	8,031.6
			Energy				1,348.4
			Supplies and Materials			60.0	3,699.2
			Capital Outlay				119.1
			Tobacco Fund:				
			Personnel Costs			311.4	
			Contractual Services			3,877.6	
			Diabetes			500.0	
			New Nurse Development			1,990.4	
			Public Access Defibrillation Initiative			371.5	
			Cancer Council Recommendations			4,645.0	

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(35-06-00) Substance Abuse and Mental Health			
4.8	7.0	781.4			367.6	40,595.3
						20.8
					1,643.3	28,174.1
						898.5
					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
4.8	7.0	781.4	TOTAL -- Substance Abuse and Mental Health		4,243.1	77,277.8
2.0		55.0	(-10) Administration	60.0	3,912.2	
1.0		115.0	(-20) Community Mental Health	2,305.0	26,032.3	
0.8		577.4	(-30) Delaware Psychiatric Center	169.0	36,698.7	
1.0	7.0	34.0	(-40) Substance Abuse	1,709.1	10,634.6	
4.8	7.0	781.4	TOTAL -- Internal Program Units	4,243.1	77,277.8	

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(35-09-00) Long Term Care Residents Protection	
19.9		41.1				2,443.1
						12.3
						559.4
						7.9
						15.8
						20.3
19.9		41.1	TOTAL -- Long Term Care Residents Protection			3,058.8
19.9		41.1	(-01) Long Term Care Residents Protection			3,058.8
19.9		41.1	TOTAL -- Internal Program Unit			3,058.8
					(35-10-00) Child Support Enforcement	
140.8	27.2	46.0			1,312.1	2,525.9
					5.7	3.9
					454.5	376.0
					20.0	9.5
					23.0	9.8
					27.9	2.1
					25.0	
140.8	27.2	46.0	TOTAL -- Child Support Enforcement		1,868.2	2,927.2
140.8	27.2	46.0	(-01) Child Support Enforcement		1,868.2	2,927.2
140.8	27.2	46.0	TOTAL -- Internal Program Unit		1,868.2	2,927.2
					(35-11-00) Developmental Disabilities Services	
3.0	1.0	673.6			30.9	30,018.8
						22.6
					1,300.0	3,727.9
						633.6
						1,255.8
						146.6
					70.0	
						30.0
						9.6
					150.0	
					1,108.0	24,639.4
						6,996.4
						526.2
						15.7
3.0	1.0	673.6	TOTAL -- Developmental Disabilities Services		2,658.9	68,022.6
3.0	1.0	63.0	(-10) Administration		30.9	3,416.7
		451.0	(-20) Stockley Center		150.0	23,889.3
		159.6	(-30) Community Services		2,478.0	40,716.6
3.0	1.0	673.6	TOTAL -- Internal Program Units		2,658.9	68,022.6

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					(35-12-00) State Service Centers	
25.0		104.6				5,171.3
						6.1
					319.7	1,691.3
					154.2	578.6
					64.1	58.3
					39.8	17.3
						389.4
						29.4
						128.5
						1,648.2
						70.0
						50.0
						242.3
25.0		104.6			585.6	10,080.7
					TOTAL -- State Service Centers	
10.3		73.3		4,405.3		
		11.0	585.6	1,836.5		
8.0		2.0		2,047.1		
6.7		18.3		1,791.8		
25.0		104.6	585.6	10,080.7		
					TOTAL -- Internal Program Units	
					(35-14-00) Services for Aging and Adults with Physical Disabilities	
55.2		61.1				3,117.4
						5.9
						6,201.3
						12.7
						54.6
						6.8
					351.2	
					360.0	
					129.9	
					261.0	3.0
						789.9
						249.1
55.2		61.1			1,102.1	10,440.7
					TOTAL -- Services for Aging and Adults with Physical Disabilities	
55.2		61.1	1,102.1	10,440.7		
55.2		61.1	1,102.1	10,440.7		
					TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES	
900.5	132.6	3,734.0			67,747.1	748,082.8

**(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
			(37-01-00) Management Support Services			
81.1	33.5	154.2	Personnel Costs		2,121.0	9,982.2
			Travel		20.9	10.9
			Contractual Services		1,143.3	3,045.6
			Supplies and Materials		66.7	214.1
			Capital Outlay		27.0	26.3
			Tobacco Funds:			
			Tobacco Prevention Programs for Youth		110.0	
			Other Items:			
			MIS Development			362.3
			Agency Operations		187.0	
			Services Integration		102.1	
			Maintenance and Restoration		100.0	
			Population Contingency			100.0
			Debt Service			107.0
81.1	33.5	154.2	TOTAL -- Management Support Services		3,878.0	13,848.4
4.0	5.0	22.0	(-10) Office of the Secretary		413.1	2,295.5
	1.0	2.0	(-15) Office of the Director		113.3	466.8
10.3	9.0	20.7	(-20) Fiscal Services		487.0	1,092.2
2.0	3.0	21.0	(-25) Planning and Evaluation		1,176.1	1,997.4
	2.0	13.0	(-30) Human Resources		133.3	873.4
	6.0	45.5	(-40) Education Services		467.7	3,775.4
3.8	2.5	18.0	(-50) Management Information Systems		514.5	2,221.1
61.0	5.0	12.0	(-60) Prevention/Early Intervention		573.0	1,126.6
81.1	33.5	154.2	TOTAL -- Internal Program Units		3,878.0	13,848.4
			(37-04-00) Child Mental Health Services			
7.0	25.0	184.6	Personnel Costs		1,515.8	11,502.5
			Travel		8.4	11.9
			Contractual Services		10,170.3	11,749.5
			Energy			192.9
			Supplies and Materials		22.7	260.6
			Capital Outlay		2.0	9.7
			Other Items:			
			MIS Maintenance		16.0	
7.0	25.0	184.6	TOTAL -- Child Mental Health Services		11,735.2	23,727.1
7.0	25.0	83.1	(-10) Managed Care Organization		1,813.1	5,574.4
		35.5	(-30) Periodic Treatment		3,709.3	9,426.7
		66.0	(-40) 24 Hour Treatment		6,212.8	8,726.0
7.0	25.0	184.6	TOTAL -- Internal Program Units		11,735.2	23,727.1

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

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Personnel		
NSF	ASF	GF
7.5	22.0	382.1
7.5	22.0	382.1

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(37-05-00) Youth Rehabilitative Services				
Personnel Costs			1,078.3	20,829.0
Travel			10.5	19.8
Contractual Services			1,898.5	12,705.0
Energy				560.9
Supplies and Materials			84.0	875.1
Capital Outlay				17.5
Debt Service				2,346.4
TOTAL -- Youth Rehabilitative Services			3,071.3	37,353.7

	1.0	10.1
7.5	6.0	89.5
	15.0	282.5
7.5	22.0	382.1

(-10) Office of the Director	57.6	716.4
(-30) Community Services	1,638.9	16,480.3
(-50) Secure Care	1,374.8	20,157.0
TOTAL -- Internal Program Units	3,071.3	37,353.7

36.9	24.5	289.0
36.9	24.5	289.0

(37-06-00) Family Services			
Personnel Costs		1,335.4	15,900.5
Travel		24.9	1.2
Contractual Services		2,168.6	1,197.4
Energy			9.9
Supplies and Materials		24.7	64.3
Capital Outlay		6.0	14.3
Child Welfare/Contractual Services			13,337.0
Pass Throughs			968.0
Other Items:			
Emergency Material Assistance			31.0
DFS Decentralization		313.3	
TOTAL -- Family Services		3,872.9	31,523.6

25.9	3.0	51.6
1.0	13.0	98.4
10.0	8.5	139.0
36.9	24.5	289.0

(-10) Office of the Director	809.8	4,921.5
(-30) Intake/Investigation	738.8	6,101.6
(-40) Intervention/Treatment	2,324.3	20,500.5
TOTAL -- Internal Program Units	3,872.9	31,523.6

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

132.5	105.0	1,009.9
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22,557.4	106,452.8
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(38-00-00) DEPARTMENT OF CORRECTION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(38-01-00) Administration			
		274.0				15,031.2
						14.6
					25.0	1,623.3
						73.5
						6,743.6
						26.2
						25,860.2
						80.0
						4,369.9
						15.4
						1,522.5
						1,501.1
						96.0
		274.0			25.0	56,957.5
			TOTAL -- Administration			
		18.0	25.0	2,749.7		
		50.0		2,914.3		
		45.0		4,917.2		
		82.0		11,795.5		
				25,940.2		
				4,369.9		
		79.0		4,270.7		
		274.0	25.0	56,957.5		
			TOTAL -- Internal Program Units			

(38-00-00) DEPARTMENT OF CORRECTION

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Personnel		
NSF	ASF	GF
	12.0	1,735.6
	12.0	1,735.6

(38-04-00) Prisons

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			753.0	90,289.5
Travel			9.0	13.5
Contractual Services			848.4	3,132.1
Energy			10.2	5,443.1
Supplies and Materials			1,322.2	3,199.8
Capital Outlay			177.0	25.0
Other Items:				
Population Contingency				558.2
Garment Shop			200.0	
Gate Money				19.0
Drug Testing				42.3
Prison Arts				53.0
DCC Fence				23.0
Distance Learning				30.0
Debt Service				11,311.8
TOTAL -- Prisons			3,319.8	114,140.3

		9.0
		25.0
		736.0
		401.0
		102.0
		377.0
		53.0
	12.0	19.0
		13.6
	12.0	1,735.6

(-01) Bureau Chief - Prisons		1,679.2
(-02) John L. Webb Correctional Facility	1.0	1,604.0
(-03) Delaware Correctional Center	1.0	49,822.6
(-04) Sussex Correctional Institution		24,415.3
(-05) Delores J. Baylor Correctional Institution	2.7	7,162.7
(-06) Howard R. Young Correctional Institution		22,027.9
(-08) Transportation		4,898.9
(-09) Prison Industries	3,314.1	1,162.4
(-11) Education	1.0	1,367.3
TOTAL -- Internal Program Units	3,319.8	114,140.3

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

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Personnel		
NSF	ASF	GF
5.6	32.8	40.6
5.6	32.8	40.6

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(40-01-00) Office of the Secretary				
Personnel Costs			1,652.9	2,984.1
Travel			16.9	13.2
Contractual Services			296.8	63.1
Energy			35.0	266.7
Supplies and Materials			72.8	43.2
Capital Outlay			7.2	
Other Items:				
Non-Game Habitat			20.0	
Ecological Restoration				150.0
Coastal Zone Management			15.0	
Special Projects/Other Items			55.0	
Outdoor Delaware			105.0	
Wholebasin Management-TMDL			314.7	1,216.1
Wholebasin Management-Admin.				1.5
Green Energy Fund			850.0	
Debt Service				28.8
TOTAL -- Office of the Secretary			3,441.3	4,766.7

	18.3	23.7
1.0	2.0	4.0
3.6	1.0	1.4
1.0	11.5	11.5
5.6	32.8	40.6

(-01) Office of the Secretary	1,776.9	3,593.5
(-02) Planning and Compliance Assistance	109.9	361.5
(-04) Energy Office	922.3	79.6
(-05) Office of Information Technology	632.2	732.1
TOTAL -- Internal Program Units	3,441.3	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	62.4
31.2	34.4	62.4

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(40-05-00) Fish and Wildlife				
Personnel Costs			1,374.5	4,073.9
Travel			22.5	12.3
Contractual Services			745.7	1,472.2
Energy			1.5	95.1
Supplies and Materials			385.3	195.8
Capital Outlay			1,571.5	
Other Items:				
Spraying and Insecticides				789.9
Oyster Recovery Fund			10.0	
Boat Repairs			40.0	
Non-Game Habitat			50.0	
Natural Heritage Program			19.0	197.0
Clean Vessel Program			32.4	
Duck Stamp			180.0	
Trout Stamp			50.0	
Finfish Development			130.0	
Fisheries Restoration			600.0	
Phragmites Control				151.5
Northern Delaware Wetlands			277.5	
Revenue Refund			15.0	
Debt Service				1.5
TOTAL -- Fish and Wildlife			5,504.9	6,989.2

	1.0	1.5
26.6	29.4	17.0
0.5	0.5	17.0
4.1	3.5	26.9
31.2	34.4	62.4

(-01) Management and Support - Fish and Wildlife	125.9	182.2
(-02) Wildlife/Fisheries	4,067.0	1,824.8
(-04) Mosquito Control	357.1	2,061.3
(-05) Dog Control	219.5	982.8
(-06) Fish and Wildlife Enforcement	735.4	1,938.1
TOTAL -- Internal Program Units	5,504.9	6,989.2

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

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Personnel		
NSF	ASF	GF
1.0	69.0	106.0
1.0	69.0	106.0

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(40-06-00) Parks and Recreation				
Personnel Costs			4,990.8	5,865.2
Travel			30.8	5.2
Contractual Services			1,954.5	924.5
Energy			37.9	482.8
Supplies and Materials			886.1	321.9
Capital Outlay			246.1	
Other Items:				
Killen's Pond Water Park			440.0	
Biden Center			90.0	
Other Items			823.4	
Debt Service				1,194.2
TOTAL -- Parks and Recreation			9,499.6	8,793.8

	3.0	10.0
	42.0	47.0
	9.0	9.0
1.0	14.0	13.0
	1.0	27.0
1.0	69.0	106.0

(-01) Management and Support - Parks and Recreation	504.1	538.4
(-02) Operations and Maintenance	6,739.0	4,277.7
(-03) Cultural and Recreational Services	1,205.1	537.8
(-04) Planning, Preservation and Development	906.3	1,017.8
(-05) Wilmington State Parks	145.1	2,422.1
TOTAL -- Internal Program Units	9,499.6	8,793.8

16.8	2.5	48.7
16.8	2.5	48.7

(40-07-00) Soil and Water Conservation	
Personnel Costs	112.7 2,972.6
Travel	5.0 5.9
Contractual Services	1,221.9 869.9
Energy	30.6
Supplies and Materials	44.0 241.6
Capital Outlay	39.0
Other Items:	
New Castle County Dredge	225.0
Beach Erosion Control Program	8,000.0
Sand Bypass System	95.0
Tax Ditches*	225.0
Debt Service	889.9
TOTAL -- Soil and Water Conservation	9,422.6 5,555.5

1.5		4.5
0.5	2.5	15.0
1.8		25.2
2.0		3.0
11.0		1.0
16.8	2.5	48.7

(-01) Management and Support - Soil and Water	160.0	365.7
(-02) Drainage	183.0	2,212.9
(-03) Shoreline and Waterway Management	9,069.6	1,960.8
(-04) District Operations		937.4
(-05) Delaware Coastal Management	10.0	78.7
TOTAL -- Internal Program Units	9,422.6	5,555.5

*Pursuant to Section 3921, Title 7, Delaware Code

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

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Personnel		
NSF	ASF	GF
26.4	65.6	69.0
26.4	65.6	69.0

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(40-08-00) Water Resources				
Personnel Costs			2,434.1	4,594.3
Travel			38.0	40.2
Contractual Services			776.0	1,413.0
Energy			1.0	9.1
Supplies and Materials			219.0	91.9
Capital Outlay			241.0	40.0
Other Items:				
Inland Bays Research				126.6
Delaware Estuary				38.0
Other Items			65.1	
Water Resources Agency				280.5
Harmful Algae Bloom				40.0
SRF Future Administration			300.0	
Board of Certification			14.0	
Debt Service				548.4
TOTAL -- Water Resources			4,088.2	7,222.0

8.4	13.4	9.2
0.5	24.5	16.0
2.0	8.0	6.0
5.0	11.0	9.0
6.3	4.7	8.0
4.2		15.8
	4.0	5.0
26.4	65.6	69.0

(-01) Management and Support - Water Resources	780.0	1,869.1
(-02) Environmental Laboratory	1,506.3	1,194.5
(-04) Surface Water Discharges	541.0	594.1
(-05) Ground Water Discharges	713.2	519.8
(-06) Water Supply	257.2	521.7
(-07) Watershed Assessment		2,130.3
(-08) Wetlands and Subaqueous Lands	290.5	392.5
TOTAL -- Internal Program Units	4,088.2	7,222.0

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

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Personnel		
NSF	ASF	GF
65.4	91.3	58.3
65.4	91.3	58.3

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(40-09-00) Air and Waste Management				
Personnel Costs			3,585.5	4,162.4
Travel			78.0	16.7
Contractual Services			1,320.0	291.5
Energy			10.0	98.7
Supplies and Materials			335.9	91.7
Capital Outlay			242.0	4.9
Other Items:				
Local Emergency Planning Committees			300.0	
HSCA - Administration			1,200.0	
HSCA - Clean-up			7,760.5	
HSCA - Recovered Administration			100.0	
HSCA Cleanup			200.0	
SARA			30.0	14.4
UST Administration			350.0	
UST Recovered Costs			100.0	
Stage II Vapor Recovery			54.8	
Extremely Hazardous Substance Program			180.9	
Environmental Response			525.8	
Non-Title V			164.8	
Enhanced I & M Program			141.2	
Public Outreach			50.0	
Recycling Community Outreach				50.0
Other Items			834.8	
Debt Service				3.7
TOTAL - Air and Waste Management			17,564.2	4,734.0

3.0	13.5	11.5
17.2	45.0	12.8
44.2	30.8	24.0
1.0	2.0	10.0
65.4	91.3	58.3

(-01) Management and Support - Air and Waste	1,359.3	1,069.3
(-02) Air Quality Management	4,123.5	1,181.4
(-03) Waste Management	10,844.7	1,793.3
(-04) Emergency Prevention and Response	1,236.7	690.0
TOTAL -- Internal Program Units	17,564.2	4,734.0

TOTAL -- DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

146.4	295.6	385.0
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49,520.8	38,061.2
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(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(45-01-00) Office of the Secretary			
36.3	3.0	51.7			203.5	3,218.0
						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	
						444.3
36.3	3.0	51.7	TOTAL -- Office of the Secretary		750.1	4,662.9
		18.0			100.0	1,476.9
	3.0	23.0			650.1	1,996.6
31.8		8.2				1,030.5
4.5		2.5				158.9
36.3	3.0	51.7	TOTAL -- Internal Program Units		750.1	4,662.9
			(45-02-00) Capitol Police			
		65.0				2,930.1
						4.5
						293.5
						41.0
						30.9
		65.0	TOTAL -- Capitol Police			3,300.0
		65.0				3,300.0
		65.0	TOTAL -- Internal Program Unit			3,300.0

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(45-03-00) Office of the Alcoholic Beverage Control Commissioner

		7.0
		7.0

Personnel Costs			453.7
Travel		2.0	5.0
Contractual Services		46.4	16.6
Supplies and Materials			4.0
TOTAL -- Office of the Alcoholic Beverage Control Commissioner		48.4	479.3

		7.0
		7.0

(-10) Office of the Alcoholic Beverage Control Commissioner	48.4	479.3
TOTAL -- Internal Program Unit	48.4	479.3

(45-04-00) Division of Alcohol and Tobacco Enforcement

	2.0	13.0
	4.0	
	6.0	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
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	
TOTAL -- Division of Alcohol and Tobacco Enforcement	610.7	889.5

	6.0	13.0
	6.0	13.0

(-10) Division of Alcohol and Tobacco Enforcement	610.7	889.5
TOTAL -- Internal Program Unit	610.7	889.5

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

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Personnel		
NSF	ASF	GF
36.2	44.5	798.3
36.2	51.5	798.3

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
(45-06-00) State Police				
Personnel Costs			2,564.9	63,647.1
Travel			146.8	43.3
Contractual Services			699.3	3,005.2
Supplies and Materials			775.3	2,801.4
Capital Outlay			321.9	1,506.8
Other Items:				
Other Items			87.5	
DSP Recruitment				50.0
Pension - 20 Year Retirees				20,655.0
Crime Reduction Fund				110.0
Career Development				15.0
Handicapped/Fire Lane Enforcement				90.0
Special Duty Fund			2,488.7	
Truck Enforcement Unit			624.6	
Debt Service				1,318.6
TOTAL -- State Police			7,709.0	93,242.4

		61.0
		8.0
	16.0	347.0
30.0		150.0
	7.0	36.0
		24.0
5.2	11.0	12.8
	14.0	33.0
		12.0
	3.5	88.5
		14.0
1.0		12.0
36.2	51.5	798.3

(-01) Executive	554.6	26,097.3
(-02) Building Maintenance & Construction		1,476.5
(-03) Patrol	2,872.0	30,441.6
(-04) Criminal Investigation	619.0	13,103.2
(-05) Special Investigation	951.4	4,041.9
(-06) Aviation		3,021.9
(-07) Traffic	906.2	950.1
(-08) State Bureau of Identification	1,008.9	1,936.5
(-09) Training	131.0	1,613.6
(-10) Communications	180.5	5,983.1
(-11) Transportation	429.6	3,793.7
(-12) Community Relations	55.8	783.0
TOTAL - Internal Program Units	7,709.0	93,242.4

TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY

72.5	60.5	935.0
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9,118.2	102,574.1
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(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-01-00) Office of the Secretary	
			(55-01-01) Office of the Secretary	
	10.0		Personnel Costs	836.2
			Operations/Capital	29.7
			Salary Contingency	161.0
	10.0		TOTAL -- Office of the Secretary	1,026.9
			(55-01-02) Finance	
1.0	35.0		Personnel Costs	2,165.8
			Operations/Capital	1,136.0
1.0	35.0		TOTAL -- Finance	3,301.8
			(55-01-03) Public Relations	
	14.0		Personnel Costs	879.7
			Operations/Capital	112.2
	14.0		TOTAL -- Public Relations	991.9
			(55-01-04) Human Resources	
	25.0		Personnel Costs	1,386.0
			Travel	202.3
			Capital Outlay	1.0
			Contractual/Supplies	505.5
	25.0		TOTAL -- Human Resources	2,094.8
1.0	84.0		TOTAL -- Office of the Secretary	7,415.4
			(55-02-00) Technology and Support Services	
			(55-02-01) Administration	
1.0	37.0		Personnel Costs	2,064.5
			Travel	25.7
			Energy	516.5
			Capital Outlay	18.0
			Contractual/Supplies	1,329.1
1.0	37.0		TOTAL -- Administration	3,953.8
			(55-02-03) Office of Information Technology	
	55.0		Personnel Costs	4,109.4
			Travel	25.3
			Capital Outlay	842.9
			Contractual/Supplies	7,321.1
	55.0		TOTAL -- Office of Information Technology	12,298.7
1.0	92.0		TOTAL -- Technology and Support Services	16,252.5
			(55-03-00) Planning	
			(55-03-01) Planning	
	72.0	20.0	Personnel Costs	4,854.1
			Operations/Capital	1,365.7
	72.0	20.0	TOTAL -- Planning	6,219.8

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			(55-04-00) Maintenance and Operations	
			(55-04-01) Office of the Director	
	27.0		Personnel Costs	1,712.2
			Operations/Capital	94.6
	27.0		TOTAL -- Office of the Director	1,806.8
			(55-04-70) Maintenance Districts	
	728.0	26.0	Personnel Costs	35,630.3
			Energy	1,463.6
			Capital Outlay	234.5
			Contractual/Supplies	15,463.0
			Snow/Storm Contingency	3,041.0
	728.0	26.0	TOTAL -- Maintenance Districts	55,832.4
			(55-04-90) Toll Administration	
	140.0		Personnel Costs	6,920.4
			Travel	26.0
			Energy	495.2
			Capital Outlay	91.0
			Contractual/Supplies	2,304.6
			Contractual - E-ZPass Operations	5,440.0
			Turnpike Operating Reserve*	
	140.0		TOTAL -- Toll Administration	15,277.2
	895.0	26.0	TOTAL -- Maintenance and Operations	72,916.4

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

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
	3.0		(55-06-01) Delaware Transportation Authority	
			Delaware Transit Corporation	
			Transit Administration	8,564.1
			Transit Operations Planning and Customer	2,028.5
			Transit Operations	47,813.6
			Taxi Services Support "E & H"	148.5
			Newark Transportation	131.2
			Kent and Sussex Transportation "E & H"	1,394.3
			 Total -- Delaware Transit Corporation	 60,080.2
			 DTA Indebtedness	
			Debt Service	
			General Obligation	672.8
			Transportation Trust Fund	98,103.5
			 Total -- DTA Indebtedness	 98,776.3
	3.0		TOTAL -- Delaware Transportation Authority*	158,856.5

* Delaware Transportation Authority, 2 Del. C. c. 13.

These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.

	54.0	88.0	(55-08-00) Transportation Solutions	
	54.0	88.0	(55-08-10) Project Teams	
			Personnel Costs	4,047.8
			TOTAL -- Project Teams	4,047.8
	15.0	30.0	(55-08-20) Design/Quality	
	15.0	30.0	Personnel Costs	1,307.8
			TOTAL -- Design/Quality	1,307.8
	51.0	63.0	(55-08-30) Engineering Support	
			Personnel Costs	3,719.0
			Travel	51.5
			Capital Outlay	60.1
			Contractual/Supplies	252.5
	51.0	63.0	TOTAL -- Engineering Support	4,083.1
	84.0		(55-08-40) Traffic	
			Personnel Costs	5,151.0
			Energy	552.3
			Capital Outlay	22.7
			Contractual/Supplies	1,606.7
	84.0		TOTAL -- Traffic	7,332.7
	204.0	181.0	TOTAL -- Transportation Solutions	16,771.4

(55-00-00) DEPARTMENT OF TRANSPORTATION

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
	20.0		(55-11-00) Motor Vehicles	
			(55-11-10) Administration	
			Personnel Costs	1,251.4
			Travel	10.1
			Contractual Services	214.2
			Supplies and Materials	15.4
			Capital Outlay	0.1
			Motorcycle Safety	104.0
			Off Highway Vehicles	1.0
	20.0		TOTAL -- Administration	1,596.2
			(55-11-20) Driver Services	
3.0	74.0		Personnel Costs	3,336.8
			Contractual Services	82.0
			Supplies and Materials	26.3
			CDL Fees	207.3
3.0	74.0		TOTAL -- Driver Services	3,652.4
			(55-11-30) Vehicle Services	
	139.0		Personnel Costs	6,311.9
			Travel	10.0
			Contractual Services	907.2
			Supplies and Materials	889.9
			Capital Outlay	464.0
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
	139.0		TOTAL -- Vehicle Services	8,764.0
			(55-11-50) Motor Fuel Tax Administration	
1.0	22.0		Personnel Costs	1,193.4
			Travel	25.0
			Contractual Services	290.2
			Supplies and Materials	29.1
1.0	22.0		TOTAL -- Motor Fuel Tax Administration	1,537.7
4.0	255.0		TOTAL -- Motor Vehicles	15,550.3
6.0	1,605.0	227.0	TOTAL -- DEPARTMENT	293,982.3
			TRANSPORTATION	

(60-00-00) DEPARTMENT OF LABOR

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(60-01-00) Administration			
13.5	29.7	8.8			1,806.6	688.4
					16.0	15.4
					924.8	281.4
					57.4	17.8
					50.5	2.0
					10.0	
13.5	29.7	8.8	TOTAL -- Administration		2,865.3	1,005.0
			(60-06-00) Unemployment Insurance			
135.0	4.0				172.4	
					0.1	
					192.4	
					1.0	
					2.0	
					7.2	
					61.9	
135.0	4.0		TOTAL -- Unemployment Insurance		437.0	
			(60-07-00) Industrial Affairs			
9.0	55.0				3,132.6	
					30.8	
					915.0	
					41.0	
					36.6	
					6,000.0	
9.0	55.0		TOTAL -- Industrial Affairs		10,156.0	
			(60-00-00) Internal Program Units			
13.5	10.7	1.3	1,140.5	416.3		
13.5		2.5		139.7		
		4.0	10.0	344.1		
	19.0	1.0	1,714.8	104.9		
13.5	29.7	8.8	2,865.3	1,005.0		
			(60-00-00) Internal Program Unit			
135.0	4.0		437.0			
135.0	4.0		437.0			
			(60-00-00) Internal Program Units			
6.0	35.0		8,983.3			
3.0	20.0		1,172.7			
9.0	55.0		10,156.0			

(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

(60-08-00) Vocational Rehabilitation

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

\$ Program		\$ Line Item	
ASF	GF	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

TOTAL -- Vocational Rehabilitation

83.0	6.0	2.0
39.0		
122.0	6.0	2.0

(-10) Vocational Rehabilitation Services

851.9	2,616.4
851.9	2,616.4

(-20) Disability Determination Services

TOTAL -- Internal Program Units

(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

188.4	1,016.1
4.2	6.1
88.1	390.0
	1.9
6.2	12.6
13.4	3.8
	595.2
	181.6
	959.0
2,258.3	
2,558.6	3,166.3

TOTAL -- Employment and Training

89.9	4.0	24.1
89.9	4.0	24.1

(-20) Employment and Training Services

2,558.6	3,166.3
2,558.6	3,166.3

TOTAL -- Internal Program Unit

369.4	98.7	34.9
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TOTAL -- DEPARTMENT OF LABOR

16,868.8	6,787.7
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(65-00-00) DEPARTMENT OF AGRICULTURE

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Personnel		
NSF	ASF	GF
16.7	39.5	88.8
16.7	39.5	88.8

(65-01-00) Agriculture

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,839.6	5,198.8
Travel			84.1	37.9
Contractual Services			593.0	480.8
Energy			17.8	12.9
Supplies and Materials			168.1	144.9
Capital Outlay			307.0	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			140.5	
Equine Drug Testing			1,134.0	
Research and Development			150.0	
Wildlife Damage Control				100.0
County Rollback			41.7	
Debt Service				82.6
TOTAL -- Agriculture			5,496.8	7,242.1

	1.0	20.0
		7.0
6.7	13.5	6.8
4.5	3.5	17.0
1.0	5.5	
3.0	6.0	
		4.0
1.0	0.5	13.5
		7.0
	7.5	
		10.0
0.5		3.5
	2.0	
16.7	39.5	88.8

(-01) Administration	319.5	1,854.6
(-02) Agriculture Compliance	12.2	395.1
(-03) Food Products Inspection	889.0	422.2
(-04) Forest Service	588.0	1,022.0
(-05) Harness Racing Commission	1,480.0	
(-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	1,593.7	
(-11) Weights and Measures		589.2
(-12) Nutrient Management		1,177.1
(-13) Agricultural Lands Preservation Foundation	77.0	
TOTAL -- Internal Program Units	5,496.8	7,242.1

TOTAL -- DEPARTMENT OF AGRICULTURE

16.7	39.5	88.8
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5,496.8	7,242.1
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(70-00-00) DEPARTMENT OF ELECTIONS

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(70-01-01) Commissioner of Elections			
2.0		13.0				605.9
						1.3
						281.8
						19.4
						0.8
						17.0
						20.0
						300.0
2.0		13.0	TOTAL -- Commissioner of Elections			1,246.2
			(70-02-01) New Castle County Department of Elections			
		18.0				938.0
						13.1
						206.9
						14.1
						9.7
						3.5
		18.0	TOTAL -- New Castle County Department of Elections			1,185.3
			(70-03-01) Kent County Department of Elections			
8.0						476.4
						1.5
						170.2
						12.0
						5.1
						1.5
						3.0
8.0			TOTAL -- Kent County Department of Elections			669.7
			(70-04-01) Sussex County Department of Elections			
8.0						480.9
						1.4
						83.4
						12.2
						2.0
						2.1
8.0			TOTAL -- Sussex County Department of Elections			582.0
2.0		47.0	TOTAL -- DEPARTMENT OF ELECTIONS			3,683.2

(75-00-00) FIRE PREVENTION COMMISSION

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Personnel		
NSF	ASF	GF
	29.2	24.8
	29.2	24.8

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			1,460.8	1,578.5
Travel			34.0	
Contractual Services			365.3	107.1
Energy				55.1
Supplies and Materials			71.0	37.5
Capital Outlay			281.1	10.8
Other Items:				
Revenue Refund			1.5	
Juvenile Firesetter Intervention Program				2.0
Debt Service				192.5
TOTAL -- Office of the State Fire Marshal			2,213.7	1,983.5

(75-02-01) State Fire School

		17.5					
Personnel Costs							1,043.7
Contractual Services							384.0
Energy							158.9
Capital Outlay							75.0
Other Items:							
Local Emergency Planning Committee					50.0		
Stress Management							5.0
Background Checks							10.0
EMT Training							70.0
Debt Service							236.5
TOTAL -- State Fire School		17.5			50.0		1,983.1

(75-03-01) State Fire Prevention Commission

		1.0					
Personnel Costs							54.7
Travel							30.5
Contractual Services							28.0
Supplies and Materials							3.6
Other Items:							
State-wide Fire Safety Education							100.0
Contingency - Extraordinary Expenses							6.2
Governor's Fire Safety Conference					7.0		10.0
Mid-Atlantic Fire Conference					4.0		
TOTAL -- State Fire Prevention Commission		1.0			11.0		233.0

	29.2	43.3	TOTAL -- FIRE PREVENTION COMMISSION	2,274.7	4,199.6
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(76-00-00) DELAWARE NATIONAL GUARD

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Personnel		
NSF	ASF	GF

77.8		30.5
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77.8		30.5
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(76-01-01) Delaware National Guard

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

**TOTAL -- DELAWARE NATIONAL
 GUARD**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

			2,374.6
			6.7
			250.4
			549.8
		12.5	91.5
			3.0
			490.0
			78.0
			12.2
			93.7

		12.5	3,949.9
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(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS

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Personnel		
NSF	ASF	GF

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

		3.0
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Personnel Costs
Travel
Contractual Services
Supplies and Materials

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	131.8
	6.0
	11.2
	3.1

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

		3.0
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	152.1
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(90-00-00) HIGHER EDUCATION

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

(90-04-01) Office of the President

12.0		44.0
12.0		44.0

Personnel Costs			7,003.5
Contractual Services			83.1
Energy			25.5
Occupational Teacher Program			36.8
Academic Incentive			50.0
Associate in Arts Program - Operations			284.9
Associate in Arts Program - Academic			1,562.6
Debt Service			409.1
TOTAL -- Office of the President			9,455.5

(90-04-02) Owens Campus

59.0		192.0
59.0		192.0

Personnel Costs			14,227.8
Energy			332.6
Grants			48.2
Aid to Needy Students			204.8
Work Study			31.2
Debt Service			1,535.6
Day Care Training			16.8
Para-educator Technology Program			62.3
TOTAL -- Owens Campus			16,459.3

(90-04-04) Wilmington Campus

52.0		156.0
52.0		156.0

Personnel Costs			11,192.0
Energy			368.9
Aid to Needy Students			159.8
Grants			32.5
Work Study			40.1
Debt Service			1,197.3
Dental Program			78.8
Day Care Training			17.2
TOTAL -- Wilmington Campus			13,086.6

(90-00-00) HIGHER EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
69.0		186.0				13,919.7
						165.4
						144.8
						27.5
						41.1
						417.6
69.0		186.0				14,716.1
76.9		126.0				8,725.5
						206.7
						366.0
						178.3
						21.7
						21.0
						6.0
76.9		126.0				9,525.2
268.9		704.0				63,242.7
						204.6
						204.6
268.9		704.0				221,407.8

(95-00-00) DEPARTMENT OF EDUCATION

				\$ Program		\$ Line Item	
Personnel				ASF	GF	ASF	GF
NSF	ASF	GF					
				(95-01-00) Department of Education			
67.5		118.5	Personnel Costs				11,990.2
			Travel				35.8
			Contractual Services				696.8
			Supplies and Materials				36.6
			Capital Outlay				37.6
		1.0	State Board of Education				285.8
			Tobacco:				
	1.0		Prevention/Education			267.7	
			Other Items:				
			Infrastructure Capacity				600.0
			Educator Accountability				1,220.0
			Family Involvement				35.0
			Pupil Accounting				573.5
			Education Compact of the States				45.7
			Private Business and Trade School				2.0
			Evaluation-Higher Education				1.0
			Teacher of the Year				57.0
			Odyssey of the Mind				50.0
			Computing Center			65.1	510.7
			Educator Certification and Development				160.8
		1.0	Professional Standards Board				182.6
			Student Mentoring				500.0
		2.5	Science in Motion				293.9
			School Profiles				100.0
			Delaware Student Testing Program				7,250.1
			Student Standards & Assessment			100.0	329.5
			DE Educator Recruitment Initiative				60.0
			Contingency - Background Checks				100.0
			Department of Education Library			34.0	
			Trailer Rental Fund			27.5	
			DOE Publications			15.0	
	2.0		Delaware Interscholastic Athletic Fund			650.0	
	3.0	4.5	Smithsonian Project			1,000.0	1,497.4
			Parents as Teachers				1,249.9
67.5	6.0	127.5	TOTAL -- Department of Education			2,159.3	27,901.9
67.5	6.0	127.5	(-01) Department of Education	2,159.3	27,901.9		
67.5	6.0	127.5	TOTAL -- Internal Program Unit	2,159.3	27,901.9		

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-02-00) School District Operations			
		12,600.0				
						395,763.3
						9,094.8
						170,861.9
						21,167.6
						16,011.5
						68,300.3
						6,556.6
						1,000.0
						1,600.0
						511.8
						532.8
						184.1
						3,550.0
						3,000.0
						44,674.6
		12,600.0				742,809.3
			TOTAL -- School District Operations			
		12,600.0				
						681,199.4
						16,935.3
						44,674.6
		12,600.0				742,809.3
			TOTAL -- Internal Program Units			

(95-00-00) DEPARTMENT OF EDUCATION

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
1							
2							
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(95-03-00) Block Grants and Pass Through Programs

Education Block Grants		
Adult Education and Work Force Training Grant		8,660.5
Professional Accountability and Instructional Advancement Fund		8,450.5
Academic Excellence Block Grant		32,756.9
K-12 Pass Throughs		
Delaware Nature Society		9.6
Children's Beach House		70.8
Read Aloud		257.7
Building Bridges		87.3
Summer School - Gifted & Talented		198.8
Center for Economic Education		273.7
Educational Resources		315.5
DE Institute for Arts in Education		132.4
Advanced Studies		94.3
Student Organization		245.0
Pregnant Students		279.8
Delaware Teacher Center		569.8
Reading Assist		300.0
On-Line Periodicals		750.0
Jobs for DE Graduates		921.3
Delaware Geographic Alliance		48.5
Creative Mentoring		260.0
Delaware History Day Competition		4.8
Communities in Schools		194.0
Teacher in Space		123.8

(95-00-00) DEPARTMENT OF EDUCATION

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
		1.0				5,278.3
	1.0				890.7	11,372.0
						469.9
						2,635.6
	1.0				850.0	36.0
						40.0
						527.1
						16,245.7
						10,428.0
						1,000.0
		32.7				2,819.7
						200.0
						7,422.0
						314.5
						1,311.7
						20.0
	1.0	12.0			61.1	1,618.7
	3.0	45.7			1,801.8	119,790.5
TOTAL -- Block Grants and Pass Through Programs						

			(-10) Education Block Grants		49,867.9
			(-15) K-12 Pass Throughs		5,137.1
	2.0	33.7	(-20) Special Needs Programs	1,740.7	63,166.8
	1.0	12.0	(-30) Driver Training	61.1	1,618.7
	3.0	45.7	TOTAL -- Internal Program Units	1,801.8	119,790.5

(95-04-00) Pupil Transportation

Public School Transportation		66,129.5
Neighborhood Schools Transportation Savings		269.4
Non-Public School Transportation Reimbursement		3,000.0
TOTAL -- Pupil Transportation		69,398.9

(-01) Transportation		69,398.9
TOTAL -- Internal Program Unit		69,398.9

(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			(95-06-00) Delaware Advisory Council on Career and Vocational Education			
		3.0				224.3
						6.7
						66.6
						5.0
		3.0				302.6
			TOTAL -- Delaware Advisory Council on Career and Vocational Education			
		3.0		302.6		
		3.0		302.6		
			(95-07-00) Delaware Center for Educational Technology			
		7.0				581.9
						218.3
						1,000.0
		7.0				1,800.2
			TOTAL -- Delaware Center for Educational Technology			
		7.0		1,800.2		
		7.0		1,800.2		
			(95-08-00) Delaware Higher Education Commission			
		7.0				488.3
						8.0
						311.8
						6.1
						2,870.8
						100.0
						600.0
						60.0
		7.0				4,445.0
			TOTAL -- Delaware Higher Education Commission			
		7.0		4,445.0		
		7.0		4,445.0		
67.5	9.0	12,790.2	TOTAL -- DEPARTMENT OF EDUCATION		3,961.1	966,448.4

Personnel					\$			
TFO	TFC	NSF	ASF	GF	TTF	ASF	GF	
<u>TOTALS</u>								
1,605.0	227.0	1,847.6	1,527.5	11,507.4	TOTAL - DEPARTMENTS	293,982.3	468,340.7	1,634,084.7
		268.9		704.0	TOTAL - HIGHER EDUCATION			221,407.8
		67.5	9.0	12,790.2	TOTAL - PUBLIC EDUCATION		3,961.1	966,448.4
1,605.0	227.0	2,184.0	1,536.5	25,001.6	GRAND TOTAL	293,982.3	472,301.8	2,821,940.9

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 15.02 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 2.60 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.

1 Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES.

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

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

<u>Delaware</u>	<u>Other Counties and Municipalities</u>	<u>Other States</u>
New Castle County	Cecil County, Maryland	Maryland
Kent County	Kent County, Maryland	Pennsylvania
Sussex County	Salisbury, Maryland	New Jersey
Wilmington	Chester County, Pennsylvania	North Carolina
Newark	Delaware County, Pennsylvania	Massachusetts
Dover	Mercer County, New Jersey	New York
University of Delaware		Virginia

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

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

24 Effective July 1, 2005, the following pay plans are established for state merit system employees:

1

Annual Salary

2

STATE OF DELAWARE PAY PLAN*

3

(Standard Work Schedule of 37.5 Hours per Work Week)

4

**PAY
GRADE**

**80% of
Midpoint**

**100% of
Midpoint**

**120% of
Midpoint**

5

6

1

16,839**

19,942

23,930

7

2

17,070

21,338

25,606

8

3

18,270

22,837

27,404

9

4

19,544

24,430

29,316

10

5

20,916

26,145

31,374

11

6

22,379

27,974

33,569

12

7

23,942

29,928

35,914

13

8

25,619

32,024

38,429

14

9

27,415

34,269

41,123

15

10

29,334

36,667

44,000

16

11

31,384

39,230

47,076

17

12

33,582

41,978

50,374

18

13

35,934

44,918

53,902

19

14

38,445

48,056

57,667

20

15

41,139

51,424

61,709

21

16

44,022

55,027

66,032

22

17

47,102

58,877

70,652

23

18

50,397

62,996

75,595

24

19

53,926

67,407

80,888

25

20

57,704

72,130

86,556

26

21

61,741

77,176

92,611

27

22

66,062

82,578

99,094

28

23

70,689

88,361

106,033

29

24

75,640

94,550

113,460

30

25

80,932

101,165

121,398

31

26

86,596

108,245

129,894

32

* - Annual Salary in Whole Dollars.

33

** - Minimum State Salary.

34

STATE OF DELAWARE PAY PLAN*

35

(Standard Work Schedule of 40 Hours per Work Week)

36

**PAY
GRADE**

**80% of
Midpoint**

**100% of
Midpoint**

**120% of
Midpoint**

37

38

1

17,017

21,271

25,525

39

2

18,209

22,761

27,313

40

3

19,484

24,355

29,226

41

4

20,846

26,058

31,270

42

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22,309

27,886

33,463

43

6

23,869

29,836

35,803

44

7

25,540

31,925

38,310

45

8

27,329

34,161

40,993

46

9

29,242

36,552

43,862

1	10	31,288	39,110	46,932
2	11	33,475	41,844	50,213
3	12	35,822	44,777	53,732
4	13	38,328	47,910	57,492
5	14	41,013	51,266	61,519
6	15	43,883	54,854	65,825
7	16	46,957	58,696	70,435
8	17	50,241	62,801	75,361
9	18	53,758	67,197	80,636
10	19	57,522	71,902	86,282
11	20	61,550	76,938	92,326
12	21	65,859	82,324	98,789
13	22	70,470	88,087	105,704
14	23	75,399	94,249	113,099
15	24	80,679	100,849	121,019
16	25	86,326	107,908	129,490
17	26	92,370	115,462	138,554

18 * - Annual Salary in Whole Dollars.

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

23	<u>DEPARTMENT</u>	<u>CLASS SERIES</u>
24	Department of Health and Social Services	Drug Control and Enforcement Agents
25		Chief Drug Control and Enforcement Agent
26		Drug Control Administrator
27	Department of Correction	Quality Improvement Program Administrator
28		Community Work Program Coordinator
29		Director of Probation and Parole
30		Pre-trial Presentence Manager
31		Probation and Parole Officer
32		Probation and Parole Regional Manager
33		Probation and Parole Supervisor
34		Probation and Parole Operations Manager
35		Support Services Manager–DCC
36		Special Services Manager

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

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

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

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

- 1 (1) The appointing authority shall identify job classes or job families to be considered for
2 selective market variations according to turnover rates, recruitment problems, vacancy
3 rates, feasibility for the work to be performed on a contractual basis and other criteria
4 established by the Director of the Office of Management and Budget.
- 5 (2) Upon receipt of the identified classes, the Director of the Office of Management and
6 Budget shall survey the appropriate labor market to determine the State's position in this
7 labor market.
- 8 (3) The Director of the Office of Management and Budget and the Controller General shall
9 review the information provided in Sections 8(b)(1) and (2) and shall recommend
10 approval or disapproval for the classes for selective market compensation variations.
- 11 (4) Any such selective market variations that the Director of the Office of Management and
12 Budget and the Controller General have determined to be warranted and have been
13 approved by the Joint Finance Committee shall be designated to become effective July 1,
14 2005, provided that such variations have been processed as part of the regular budgetary
15 process and the funds for such changes shall be appropriated.
- 16 (5) The Director of the Office of Management and Budget and the Controller General shall
17 establish criteria to allow for selective market variations to be effective January 1, 2006.
18 An appointing authority may apply for selective market variation for January 1, 2006 for
19 job classes or job families that are experiencing severe recruitment and retention issues.
20 Funds must be available within the agency budget to fund the selective market variation
21 until such time as the General Assembly appropriates the necessary funds.
- 22 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised
23 according to the results of the labor market surveys for the job class. For the purposes of
24 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint
25 and the maximum value shall remain at 125 percent unless the minimum value under the
26 selective market range for a class is less than the minimum value of the merit system pay
27 range. The minimum for the class on selective market shall be no less than the merit

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

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

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

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

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

1 current incumbents who will move from selective market variation to the regular merit
2 State of Delaware Pay Plan.

3 (9) Effective July 1, 2005, the shift differential rates paid to registered nurses in accordance
4 with the provisions of Merit Rule 4.15 shall reflect the salary scale in effect for the
5 current fiscal year.

6 (10) Those classes whose recruitment and retention issues have not been abated by placement
7 on Selective Market Variation may be reviewed on an annual basis to determine what
8 further adjustments may be appropriate. Contingent upon the approval of the Director of
9 the Office of Management and Budget, the Controller General and the Co-chairs of the
10 Joint Finance Committee, any such adjustments shall become effective January 1, 2006.
11 Adjustments may include a salary increase based on market value (not to exceed five
12 percent), adjustment of blanket starting salaries, adjustment of shift differential, use of
13 Recruitment and Retention Education and Training funds appropriated in Section 1 of
14 this Act or any other methods as may be deemed appropriate to address chronic staffing
15 problems.

16 (11) Notwithstanding this section, the Director of the Office of Management and Budget and
17 the Controller General shall review the Capitol Police and the Delaware Alcohol and
18 Tobacco Enforcement Classes for selective market variation consideration. The
19 recommendations shall not be bound by subsection b (10) of this section. Such review
20 shall be reported to the Chairs of the Joint Finance Committee by October 15, 2005.

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

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

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

27 (i) Effective July 1, 2005, the salary of each employee shall be increased by two percent or
28 \$1,100.00, whichever is greater.

1 (ii) Effective July 1, 2005, 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, and whose salary, as of June 30,
4 2005, is below the maximum for the assigned pay grade, shall be increased by an
5 amount equal to the dollar value of 3 percent of the midpoint for the assigned pay
6 grade. Employees whose salary is at, near, or above the maximum for the assigned
7 paygrade shall have their salary increased by 1.5 percent or by an amount which would
8 increase the employee's salary to the maximum for the assigned paygrade, whichever
9 is greater.

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

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

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

1 this Act for Delaware State University and for the University of Delaware to provide
2 for an increase in salaries paid from General Funds.

3 (iii) Any Merit System employee who is denied the salary increase referred to in Section
4 8(c)(1)(i) and (ii) due to an unsatisfactory performance rating in accordance with
5 Merit Rule 13.3 shall become eligible for the salary increase upon meeting job
6 requirements as defined by their supervisor, but the salary increase will not be
7 retroactive.

8 (iv) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any Merit System
9 employee who is covered by the Competency-based Pay Plan provided to the
10 Controller General's Office on June 8, 1998 shall receive a 2 percent salary increase,
11 or \$1,100, whichever is greater, effective July 1, 2005. For those whose salary, as of
12 June 30, 2005, is below the maximum for the assigned pay grade, shall be increased
13 by an amount equal to the dollar value of 3 percent of the midpoint for the assigned
14 pay grade. Employees whose salary is at, near, or above the maximum for the
15 assigned paygrade shall have their salary increased by 1.5 percent or by an amount
16 which would increase the employee's salary to the maximum for the assigned
17 paygrade, whichever is greater. This plan shall continue in Fiscal Year 2006 as it
18 was established in 71 Del. Laws, c. 354, § 247. In addition, the salary levels
19 established in the Competency-based Pay Plan shall be increased by 2 percent
20 effective July 1, 2005.

21 (v) Notwithstanding Chapters 4.0 and 5.0 of the Merit Rules, any attorney covered under
22 the salary matrices approved for the Office of the Attorney General and the Public
23 Defender shall receive a 2 percent salary increase, or \$1,100, whichever is greater,
24 effective July 1, 2005. For those whose salary, as of June 30, 2005, is below the
25 maximum for the assigned pay grade, shall be increased by an amount equal to the
26 dollar value of 3 percent of the midpoint for the assigned pay grade. Employees
27 whose salary is at, near, or above the maximum for the assigned paygrade shall have
28 their salary increased by 1.5 percent or by an amount which would increase the

1 employee's salary to the maximum for the assigned paygrade, whichever is greater.

2 In Fiscal Year 2006, the salary plans approved for the Office of the Attorney General
3 and Public Defender shall continue as established. In addition, the salary matrices
4 approved for said plans shall be increased by 2 percent effective July 1, 2005.

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

6 (i) Statutory step increases for Department of Education and Delaware Technical and
7 Community College plans A and D, as provided in Title 14;

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

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

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

25 **(d) MAINTENANCE REVIEWS.**

26 (1) Any such reclassifications/regrades that the Director of the Office of Management and
27 Budget determines to be warranted as a result of the classification maintenance reviews
28 regularly scheduled by the Office of Management and Budget shall be designated to

1 become effective July 1, 2005, provided that such reclassifications/regrades have been
2 processed as part of the regular budgetary process and the funds for such
3 reclassifications/regrades have been appropriated. Maintenance review classification
4 determinations may be appealed to the Merit Employee Relations Board in accordance
5 with 29 Del. C. § 5915. Pay grade determinations shall not be appealed.

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

16 **(e) CRITICAL RECLASSIFICATIONS.**

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

22 **(f) OTHER RECLASSIFICATIONS.**

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

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

26 Teachers and administrators employed by state agencies and who are paid based on the Basic
27 Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as a salary an amount
28 equal to the index value specified in the appropriate training and experience cell multiplied by the base

1 salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for ten months employment. If employed
2 on an 11- or 12-month basis, the ten-month amount shall be multiplied by 1.1 or 1.2, respectively. In
3 addition to the above calculation, teachers and administrators qualifying for professional development
4 clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal to the approved
5 cluster percentage multiplied by the base salary amount defined in 14 Del. C. § 1305(b). This calculation
6 shall not be increased for 11 or 12 month employment. The percentage shall only be applied to the base
7 10 month salary for 10, 11 and 12 month employees. In accordance with 14 Del. C. § 1305(p), the cluster
8 percentage is capped at 15 percent.

9 **(h) ADMINISTRATIVE REGULATIONS.**

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

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

17 (3) Employees who retain salary upon voluntary demotion in accordance with Merit Rule 4.7
18 shall be ineligible for a promotional increase upon promotion to a pay grade lower than
19 or equal to their original pay grade prior to voluntary demotion for a one year period from
20 the date of their voluntary demotion.

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

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

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

2 (1) Department of Transportation personnel responding to weather-related emergencies and
3 who are not subject to the Fair Labor Standards Act shall be entitled to receive
4 compensation at one-and-one-half times their normal rate of pay for all overtime services
5 performed beyond the normal work week. This shall apply to employees classified
6 through the Area Supervisor level. All additional personnel assigned to assist the area
7 yards during weather-related emergencies and who are above the level of Area
8 Supervisor shall be entitled to receive compensation at their straight time rate of pay for
9 all overtime services performed beyond the normal work week.

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

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

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

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

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

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

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

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

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“Yrs. of Exp.	No Degree	Bach. Degree	Bach. Degree Plus 15 Grad. Credits	Bach. Degree Plus 30 Grad. Credits	Mast. Degree Plus 15 Mast. Degree	Mast. Degree Plus 30 Grad. Credits	Mast. Degree Plus 45 Grad. Credits	Grad. Credits	Grad. Credits	Doctor’s Degree
0	0.9610	1.0000	1.0390	1.0780	1.1365	1.1755	1.2145	1.2536	1.2926	
1	0.9707	1.0098	1.0488	1.0878	1.1463	1.1853	1.2243	1.2633	1.3023	
2	0.9795	1.0195	1.0585	1.0975	1.1560	1.1950	1.2340	1.2731	1.3121	
3	1.0146	1.0536	1.0926	1.1317	1.1902	1.2292	1.2682	1.3072	1.3462	
4	1.0439	1.0800	1.1151	1.1512	1.2038	1.2389	1.2828	1.3218	1.3608	
5	1.0800	1.1151	1.1512	1.1863	1.2389	1.2750	1.3101	1.3462	1.3813	
6	1.1151	1.1512	1.1863	1.2214	1.2750	1.3101	1.3462	1.3813	1.4164	
7	1.1512	1.1863	1.2214	1.2575	1.3101	1.3462	1.3813	1.4164	1.4525	
8	1.1863	1.2214	1.2575	1.2926	1.3989	1.4340	1.4700	1.5052	1.5412	
9	1.2214	1.2575	1.2926	1.3277	1.4340	1.4700	1.5052	1.5412	1.5763	
10	1.2575	1.2947	1.3277	1.3638	1.4700	1.5052	1.5412	1.5763	1.6115	
11			1.3638	1.3989	1.5052	1.5412	1.5763	1.6115	1.6475	
12			1.4009	1.4340	1.5412	1.5763	1.6115	1.6475	1.6826	
13				1.4700	1.5763	1.6115	1.6475	1.6826	1.7177	
14				1.5069	1.6115	1.6475	1.6826	1.7177	1.7538	
15					1.6475	1.6843	1.7177	1.7538	1.7889	
16							1.7535	1.7907	1.8247	

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

28 (1) An employee with no degree who was paid in accordance with the 8-year step for the fiscal year
29 ending June 30, 1994, shall be paid at an index of 1.227 for the fiscal year ending June 30, 1995,
30 at an index of 1.264 for the fiscal year ending June 30, 1996, at an index of 1.300 for the fiscal
31 year ending June 30, 2000, at an index rate of 1.2926 for the fiscal year ending June 30, 2005,
32 and at an index rate of 1.3277 for the fiscal year ending June 30, 2006 and for subsequent fiscal
33 years.

34 (2) An employee with no degree who was paid in accordance with the 9-year step for the fiscal year
35 ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year ending June 30, 1995,
36 at an index of 1.300 for the fiscal year ending June 30, 2000, at an index rate of 1.2926 for the
37 fiscal year ending June 30, 2005, and at an index rate of 1.3277 for the fiscal year ending June
38 30, 2006 and for subsequent fiscal years.

1 (3) An employee with no degree who was paid in accordance with the 10-year step for the fiscal
2 year ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year ending June 30,
3 1995, at an index of 1.300 for the fiscal year ending June 30, 2000, at an index rate of 1.2926 for
4 the fiscal year ending June 30, 2005, and at an index rate of 1.3277 for the fiscal year ending
5 June 30, 2006 and for subsequent fiscal years.

6 (4) An employee with a Bachelor's Degree who was paid in accordance with the 8-year step for the
7 fiscal year ending June 30, 1994, shall be paid at an index of 1.264 for the fiscal year ending
8 June 30, 1995, at an index of 1.300 for the fiscal year ending June 30, 1996, at an index of 1.336
9 for the fiscal year ending June 30, 2000, at an index of 1.3277 for the fiscal year ending June 30,
10 2005, and at an index of 1.3638 for the fiscal year ending June 30, 2006 and for subsequent
11 fiscal years.

12 (5) An employee with a Bachelor's Degree who was paid in accordance with the 9-year step for the
13 fiscal year ending June 30, 1994, shall be paid at an index of 1.300 for the fiscal year ending
14 June 30, 1995, at an index of 1.336 for the fiscal year ending June 30, 2000, at an index rate of
15 1.3277 for the fiscal year ending June 30, 2005, and at an index rate of 1.3638 for the fiscal year
16 ending June 30, 2006 and for subsequent fiscal years.

17 (6) An employee with a Bachelor's Degree who was paid in accordance with the 10-year step for the
18 fiscal year ending June 30, 1994, shall be paid at an index of 1.300 for the fiscal year ending
19 June 30, 1995, at an index of 1.336 for the fiscal year ending June 30, 2000, at an index rate of
20 1.3277 for the fiscal year ending June 30, 2005, and at an index rate of 1.3638 for the fiscal year
21 ending June 30, 2006 and for subsequent fiscal years.

22 (7) An employee with a Bachelor's Degree plus 15 credits who was paid in accordance with the 10-
23 year step for the fiscal year ending June 30, 1994, shall be paid at an index of 1.373 for the fiscal
24 year ending June 30, 1995, at an index of 1.409 for the fiscal year ending June 30, 2000, at an
25 index rate of 1.3989 for the fiscal year ending June 30, 2005, and at an index rate of 1.4340 for
26 the fiscal year ending June 30, 2006 and for subsequent fiscal years.

27 (8) An employee with a Bachelor's Degree plus 15 credits who was paid in accordance with the 11-
28 year step for the fiscal year ending June 30, 1994, shall be paid at an index of 1.373 for the fiscal

1 year ending June 30, 1995, at an index of 1.409 for the fiscal year ending June 30, 2000, at an
 2 index of 1.3989 for the fiscal year ending June 30, 2005, and at an index rate of 1.4340 for the
 3 fiscal year ending June 30, 2006 and for subsequent fiscal years.”

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

6 “The base salary amount for this section, for the fiscal year ending June 30, 2006, shall be
 7 \$25,421.”

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

10	"Years of			Senior	Financial	Administrative
11	Experience	Clerk	Secretary	Secretary	Secretary	Secretary
12	0	14,206	15,699	16,511	16,959	17,703
13	1	14,752	16,245	17,015	17,466	18,216
14	2	15,296	16,747	17,520	17,974	18,730
15	3	15,843	17,250	18,024	18,479	19,243
16	4	16,354	17,752	18,528	18,986	19,817
17	5	16,837	18,255	19,033	19,519	20,396
18	6	17,319	18,757	19,568	20,091	20,977
19	7	17,801	19,257	20,138	20,663	21,556
20	8	18,284	19,820	20,707	21,235	22,137
21	9	18,767	20,387	21,276	21,807	22,716
22	10	19,249	20,953	21,844	22,381	23,296
23	11	19,789	21,520	22,413	22,953	23,875
24	12	20,333	22,085	22,983	23,524	24,456
25	13	20,878	22,653	23,553	24,097	25,035
26	14	21,424	23,220	24,121	24,671	25,614
27	15	21,969	23,787	24,690	25,240	26,197
28	16	22,513	24,352	25,260	25,812	26,776
29	17	23,060	24,920	25,830	26,385	27,355
30	18	23,603	25,486	26,399	26,956	27,935
31	19	24,148	26,054	26,968	27,531	28,516
32	20	24,691	26,620	27,536	28,103	29,094
33	21	25,249	27,199	28,118	28,687	29,687
34	22	25,821	27,792	28,713	29,284	30,293
35	23	26,406	28,397	29,321	29,894	30,912”

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

				Chief Custodian Supervising 5 or Fewer Custodians	Chief Custodian Supervising 6 or More Custodians	Maintenance Mechanic	Skilled Craftsman
1							
2							
3							
4	“Years of	Custodian	Custodian				
5	Exp.	Fireman	Fireman				
6							
7	0	17,144	17,650	17,907	18,924	19,395	19,843
8	1	17,525	18,032	18,289	19,306	19,873	20,420
9	2	17,907	18,414	18,671	19,703	20,375	20,991
10	3	18,288	18,796	19,051	20,131	20,872	21,564
11	4	18,671	19,176	19,435	20,564	21,307	22,138
12	5	19,051	19,556	19,845	20,995	21,870	22,711
13	6	19,435	19,990	20,277	21,422	22,370	23,283
14	7	19,845	20,422	20,705	21,850	22,869	23,857
15	8	20,277	20,849	21,136	22,281	23,369	24,430
16	9	20,705	21,279	21,564	22,711	23,865	25,005
17	10	21,136	21,709	21,995	23,141	24,367	25,576
18	11	21,564	22,141	22,426	23,569	24,865	26,151
19	12	22,003	22,584	22,868	24,004	25,375	26,739
20	13	22,451	23,036	23,321	24,449	25,896	27,341
21	14	22,908	23,498	23,784	24,903	26,428	27,958”

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

24 **“SCHOOL FOOD SERVICE MANAGERS**

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

	Yrs of							
	Exp.	Below 351	351-500	501-800	801-1200	1201-1600	1601-2000	2000+
26								
27								
28	0	15,876	16,806	17,733	18,659	19,572	20,696	21,254
29	1	16,340	17,266	18,197	19,124	19,990	20,833	21,675
30	2	16,806	17,733	18,659	19,572	20,411	21,254	22,096
31	3	17,266	18,197	19,124	19,990	20,833	21,675	22,517
32	4	17,733	18,659	19,572	20,411	21,254	22,096	22,938
33	5	18,197	19,124	19,990	20,833	21,675	22,517	23,360
34	6	18,659	19,572	20,411	21,254	22,096	22,938	23,817
35	7	19,124	19,990	20,833	21,675	22,517	23,360	24,281
36	8	19,572	20,411	21,254	22,096	22,938	23,817	24,748
37	9	19,990	20,833	21,675	22,517	23,360	24,281	25,212
38	10	20,411	21,254	22,096	22,938	23,817	24,748	25,674
39	11	20,833	21,675	22,517	23,360	24,281	25,212	26,137
40	12	21,254	22,096	22,938	23,817	24,748	25,674	26,604
41	13	21,675	22,517	23,360	24,281	25,212	26,137	27,067
42	14	22,096	22,938	23,817	24,748	25,674	26,604	27,535
43	15	22,517	23,360	24,281	25,212	26,137	27,067	28,001
44	16	22,950	23,832	24,756	25,685	26,612	27,539	28,475
45	17	23,392	24,320	25,241	26,168	27,097	28,020	28,960
46	18	23,844	24,819	25,736	26,660	27,591	28,510	29,452

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

“SCHOOL LUNCH COOKS AND GENERAL WORKERS

	Years of Experience	General Worker	Cook/Baker
4	0	9.85	10.67
5	1	9.99	10.78
6	2	10.14	10.90
7	3	10.22	11.01
8	4	10.35	11.15
9	5	10.51	11.31
10	6	10.65	11.42
11	7	10.75	11.50
12	8	10.82	11.59
13	9	10.92	11.72
14	10	11.04	11.86
15	11	11.22	11.98
16	12	11.34	12.13
17	13	11.47	12.24
18	14	11.59	12.34
19	15	11.72	12.50
20	16	11.87	12.65
21	17	12.00	12.75
22	18	12.16	12.84
23	19	12.30	12.94
24	20	12.45	13.05”

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

	“Years of Experience	Service Aides	Instructional Aides
28	0	13,425	15,680
29	1	13,761	16,092
30	2	14,098	16,504
31	3	14,439	16,918
32	4	14,775	17,329
33	5	15,111	17,744
34	6	15,448	18,156
35	7	15,786	18,569
36	8	16,123	18,979
37	9	16,462	19,392
38	10	16,798	19,803
39	11	17,133	20,181
40	12	17,473	20,554
41	13	17,809	20,930
42	14	18,145	21,302
43	15	18,483	21,681
44	16	18,821	22,054
45	17	19,158	22,430
46	18	19,495	22,803
47	19	19,831	23,179
48	20	20,137	23,554
49	21	20,450	23,937
50	22	20,770	24,366
51	23	21,094	24,802”

1 (8) Each school district shall continue to use salary schedules not less than those in 14 Del. C. §
2 1322, for all school lunch employees.

3 (9) Effective July 1, 2005, the State shall pay 70.5 percent of the annual salary rate for school lunch
4 employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 61.0 percent of
5 salary rate for school lunch employees as set forth in the salary schedule 14 Del. C. § 1322(c).

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

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

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

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

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

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

					Bach. Degree Plus 15	Bach. Degree Plus 30		Mast. Degree Plus 15	Mast. Degree Plus 30	Mast. Degree Plus 45	
	"Yrs. of Exp.	No Degree	Assoc. Degree	Bach. Degree	Grad. Credits	Grad. Credits	Mast. Degree	Grad. Credits	Grad. Credits	Grad. Credits	Doctor's Degree
7	0	0.902	0.961	1.000	1.039	1.079	1.118	1.157	1.197	1.236	1.255
8	1	0.927	0.986	1.025	1.064	1.103	1.143	1.183	1.222	1.261	1.281
9	2	0.951	1.011	1.049	1.087	1.128	1.167	1.206	1.246	1.285	1.306
10	3	0.958	1.014	1.051	1.088	1.138	1.177	1.215	1.253	1.292	1.310
11	4	0.965	1.019	1.054	1.089	1.149	1.187	1.224	1.260	1.298	1.316
12	5	1.001	1.054	1.089	1.126	1.161	1.197	1.233	1.268	1.305	1.322
13	6	1.036	1.089	1.126	1.161	1.197	1.233	1.268	1.305	1.340	1.358
14	7	1.073	1.126	1.161	1.197	1.233	1.268	1.305	1.340	1.375	1.394
15	8	1.108	1.161	1.197	1.233	1.268	1.305	1.340	1.375	1.412	1.429
16	9	1.143	1.197	1.233	1.268	1.305	1.340	1.375	1.412	1.447	1.465
17	10	1.152	1.233	1.268	1.305	1.340	1.375	1.412	1.447	1.482	1.500
18	11	1.161	1.242	1.305	1.340	1.375	1.412	1.447	1.482	1.519	1.536
19	12	"	1.251	1.313	1.375	1.412	1.447	1.482	1.519	1.554	1.572
20	13	"	"	"	1.384	1.447	1.482	1.519	1.554	1.590	1.607
21	14	"	"	"	"	1.456	1.519	1.554	1.590	1.626	1.644
22	15	"	"	1.359	1.403	1.492	1.554	1.590	1.626	1.661	1.679
23	16	"	"	1.367	1.412	1.501	1.590	1.626	1.661	1.698	1.715
24	17	"	"	1.375	1.421	1.501	1.598	1.635	1.670	1.706	1.724
25	18	"	"	"	"	1.510	"	"	"	"	"
26	19	"	"	"	"	"	"	"	"	"	"
27	20	"	"	"	"	"	1.626	1.670	1.715	1.759	1.805
28	21	"	"	"	"	"	1.635	1.680	1.724	1.769	1.814
29	22	"	"	"	"	"	"	"	"	"	"
30	23	"	"	"	"	"	"	"	"	"	"
31	24	"	"	"	"	"	"	"	"	"	"
32	25	"	"	"	"	"	1.670	1.715	1.759	1.805	1.849
33	26	"	"	"	"	"	1.680	1.724	1.769	1.814	1.858
34	27+	"	"	"	"	"	1.690	1.733	1.779	1.823	1.867

35 INDEX DERIVATION
36 Base = 1.00

37 The base salary for ten-month employees shall be calculated by taking the salary derived at Bachelor's
38 degree, 0 years from Section 1305(b), Title 14, Delaware Code, and dividing by 0.665 to account for 100
39 percent state funding.”

40 Section 9. Salaries and wage rates for state employees who are not covered by the provisions of
41 14 Del. C. c. 13 or by the Merit System, excluding employees of the General Assembly–House or the
42 General Assembly–Senate, Uniformed State Police, all full-time and regular part-time non-Merit
43 Telecommunications Specialists, Senior Telecommunications Specialists, Telecommunication Shift
44 Supervisors, Telecommunications Central Control Specialists, Senior Telecommunications Central
45 Control Specialists and Telecommunications Central Control Shift Supervisors employed in the
46 Communications Section of the Department of Safety and Homeland Security, Delaware State Police,

1 employees of the University of Delaware, employees of Delaware State University, employees of
2 Delaware Technical and Community College who are paid on the Administrative Salary Plan or Faculty
3 Plan, Plans D and A, respectively, Executive Director of the Delaware Center for Educational
4 Technology, members and employees of the Delaware National Guard and employees whose salaries are
5 governed by Section 10 of this Act, shall have the following:

6 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds
7 appropriated by the State to employees with similar training and experience who serve in similar positions
8 in the Merit System. In the event that there are no similar positions in the Merit System, the Director of
9 the Office of Management and Budget shall establish an exempt position classification only for the
10 purpose of assigning a salary or wage rate to said position. On or before August 15, 2005, the Director of
11 the Office of Management and Budget shall publish a list of exempt positions and the comparable Merit
12 System class and/or pay grade for each position. In addition, such listing shall show the name of the
13 incumbent, if the position is filled, and shall show the statutory citation that authorizes the establishment
14 of the exempt position(s). The Director of the Office of Management and Budget shall provide copies of
15 such listing to members of the Joint Finance Committee and the Controller General. No exempt
16 employee shall be hired until an approved comparability has been assigned to the position. No
17 reclassification/regrading, change in pay grade comparability of a filled or vacant exempt position, or
18 change of a Merit System position to an exempt position otherwise permitted under Delaware Law shall
19 become effective unless approved by the Director of the Office of Management and Budget and the
20 Controller General. In order to permit the development of the comparability list, state agencies shall
21 provide to the Director of the Office of Management and Budget job descriptions of all exempt positions
22 and position classification questionnaires describing the duties and responsibilities of each of the
23 positions. The certification of comparability by the Director of the Office of Management and Budget
24 shall not be withheld unreasonably. Those positions assigned on a list of comparability that are assigned
25 a comparable class and/or pay grade in the Merit System shall be paid in accordance with Sections 8(b)
26 and (c) of this Act and Merit System Rules 4.6 and 4.12; no other salary increases shall be given to such
27 employees unless specifically authorized in this Act.

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

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

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

8			General	All Other
9	<u>Budget Unit</u>	<u>Line Item</u>	<u>Funds</u>	<u>Funds</u>
10	(01-01-01)	Representative	39.8	
11	(01-02-01)	Senator	39.8	
12	(02-01-00)	Chief Justice - Supreme Court	189.3	
13	(02-01-00)	Justice - Supreme Court	179.7	
14	(02-02-00)	Chancellor - Court of Chancery	180.4	
15	(02-02-00)	Vice Chancellor - Court of Chancery	169.9	
16	(02-03-00)	President Judge - Superior Court	178.4	
17	(02-03-00)	Associate Judge - Superior Court	163.9	
18	(02-03-00)	Commissioner - Superior Court	100.5	
19	(02-03-00)	New Castle County Prothonotary	62.5	
20	(02-03-00)	Kent County Prothonotary	55.5	
21	(02-03-00)	Sussex County Prothonotary	55.5	
22	(02-06-00)	Chief Judge - Court of Common Pleas	178.4	
23	(02-06-00)	Judge - Court of Common Pleas	163.9	
24	(02-06-00)	Commissioner - Court of Common Pleas	100.5	
25	(02-08-00)	Chief Judge - Family Court	178.4	
26	(02-08-00)	Associate Judge - Family Court	163.9	
27	(02-08-00)	Commissioner - Family Court	100.5	

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(02-13-00)	Chief Magistrate - Justices of the Peace Courts	117.7	
4	(02-13-00)	Magistrate - Justices of the Peace Courts - 1st Term	67.7	
5	(02-13-00)	Magistrate - Justices of the Peace Courts - 2nd Term	70.1	
6	(02-13-00)	Magistrate - Justices of the Peace Courts - 3rd Term	72.4	
7	(02-17-00)	St. Court Administrator - Off. of the St. Court Administrator	122.4	
8	(02-18-00)	Public Guardian	65.7	
9	(02-18-00)	Executive Director - Violent Crimes Compensation		
10		Board		53.9
11	(02-18-00)	Executive Director - Child Placement Review Board	59.5	
12	(10-01-01)	Governor	132.5	
13	(10-02-00)	Director - Office of Management and Budget	138.6	
14	(10-02-08)	Director - SAC	86.0	
15	(10-02-50)	Executive Secretary - Architectural Accessibility Board	45.1	
16	(10-03-01)	Director - Delaware Economic Development Office	119.7	
17	(10-07-01)	Executive Director - CJC	87.5	
18	(10-07-01)	Director - Domestic Violence Coordinating Council	64.7	
19	(10-07-02)	Executive Director – DELJIS	80.0	
20	(10-08-01)	Director - Delaware State Housing Authority		111.7
21	(11-00-00)	Chief Information Officer	150.7	
22	(12-01-01)	Lieutenant Governor	73.1	
23	(12-02-01)	Auditor	101.6	
24	(12-03-01)	Insurance Commissioner		101.6
25	(12-05-01)	State Treasurer	106.2	
26	(15-01-01)	Attorney General	136.6	
27	(15-01-01)	Chief Deputy Attorney General	119.9	
28	(15-02-01)	Public Defender	131.7	
29	(15-02-01)	Chief Deputy Public Defender	119.9	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(15-03-01)	Parole Board Chairman	73.6	
4	(20-01-00)	Secretary - State	119.7	
5	(20-01-00)	Executive Director - Public Employment Relations Board	74.3	
6	(20-02-00)	Director - Human Relations	69.0	
7	(20-03-00)	Director - Division of Archives	75.0	
8	(20-04-00)	Public Advocate		79.5
9	(20-04-00)	Director - Public Service Commission		89.7
10	(20-04-00)	Director - Professional Regulation		91.3
11	(20-05-00)	Director - Corporations		105.0
12	(20-06-00)	Director - Historical and Cultural Affairs	87.7	
13	(20-07-00)	Director - Arts	75.8	
14	(20-08-00)	State Librarian	78.0	
15	(20-15-00)	State Banking Commissioner		104.3
16	(25-01-00)	Secretary - Finance	138.6	
17	(25-05-00)	Director - Accounting	100.1	
18	(25-06-00)	Director - Revenue	116.9	
19	(25-07-00)	Director - State Lottery		98.5
20	(35-01-00)	Secretary - Health and Social Services	138.6	
21	(35-01-00)	Director - Management Services	96.6	10.9
22	(35-02-00)	Director – Medicaid and Medical Assistance	53.9	53.8
23	(35-04-00)	Chief Medical Examiner	146.9	
24	(35-05-00)	Director - Public Health	154.1	
25	(35-06-00)	Director - Substance Abuse and Mental Health	132.8	
26	(35-08-00)	Director - Visually Impaired	80.0	
27	(35-09-00)	Director - Long-term Care Residents Protection	86.5	
28	(35-10-00)	Director - Child Support Enforcement	28.5	57.9

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(35-11-00)	Director - Developmental Disabilities Services	107.6	
4	(35-12-00)	Director - State Service Centers	86.5	
5	(35-12-00)	Director - Community and Volunteer Services	70.7	
6	(35-14-00)	Director - Services for Aging and Adults		
7		with Physical Disabilities	86.5	
8	(37-01-00)	Secretary - Services for Children,		
9		Youth and Their Families	124.7	
10	(37-01-00)	Director - Management Services	97.9	
11	(37-04-00)	Director - Child Mental Health Services	97.9	
12	(37-05-00)	Director - Youth Rehabilitative Services	97.9	
13	(37-06-00)	Director - Family Services	97.9	
14	(38-01-00)	Commissioner - Correction	138.6	
15	(38-01-00)	Bureau Chief - Management Services	92.1	
16	(38-04-00)	Bureau Chief - Prisons	107.6	
17	(38-06-00)	Bureau Chief - Community Corrections	102.5	
18	(40-01-00)	Secretary - Natural Resources and		
19		Environmental Control	119.7	
20	(40-01-00)	Deputy Secretary - Natural Resources		
21		and Environmental Control	100.2	
22	(40-05-00)	Director - Fish and Wildlife	46.1	46.0
23	(40-06-00)	Director - Parks and Recreation	92.7	
24	(40-07-00)	Director - Soil and Water Conservation	92.1	
25	(40-08-00)	Director - Water Resources	94.7	
26	(40-09-00)	Director - Air and Waste Management	94.7	
27	(40-09-00)	Director - Boiler Safety	59.7	

			General Funds	All Other Funds
1	<u>Budget Unit</u>	<u>Line Item</u>		
2				
3	(45-01-00)	Secretary – Safety and Homeland Security	124.7	
4	(45-01-00)	Director - Del. Emergency Management Agency	38.4	38.4
5	(45-03-00)	Commissioner - Alcoholic Beverage Control	107.4	
6	(45-04-00)	Director - Alcohol and Tobacco Enforcement	76.4	
7	(45-06-00)	Superintendent - State Police	141.6	
8	(45-06-00)	Assistant Superintendent - State Police	127.9	
9	(55-01-01)	Secretary - Transportation		129.6
10	(55-02-01)	Director - Technology and Support Services		109.2
11	(55-03-01)	Director - Planning		109.2
12	(55-04-01)	Director - Maintenance and Operations		109.2
13	(55-06-01)	Director - Delaware Transit Corporation		109.2
14	(55-08-30)	Chief Engineer		115.0
15	(55-11-10)	Director - Motor Vehicles		109.2
16	(60-01-00)	Secretary - Labor	11.0	100.7
17	(60-06-00)	Director - Unemployment Insurance		89.7
18	(60-07-00)	Director - Industrial Affairs		89.7
19	(60-08-00)	Director - Vocational Rehabilitation		89.7
20	(60-09-00)	Director - Employment and Training	9.0	80.7
21	(65-01-00)	Secretary - Agriculture	111.7	
22	(65-01-00)	Deputy Secretary - Agriculture	80.3	
23	(70-01-01)	Commissioner - Elections	75.5	
24	(70-02-01)	Administrative Director - New Castle County Elections	71.4	
25	(70-02-01)	Deputy Administrative Director - New Castle		
26		County Elections	69.9	
27	(70-03-01)	Administrative Director - Kent County Elections	71.4	
28	(70-03-01)	Deputy Administrative Director - Kent County Elections	69.9	

	<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
1				
2				
3	(70-04-01)	Administrative Director - Sussex County Elections	71.4	
4	(70-04-01)	Deputy Administrative Director - Sussex County Elections	69.9	
5	(75-01-01)	State Fire Marshal	51.0	25.1
6	(75-02-01)	Director - State Fire School	76.1	
7	(76-01-01)	Adjutant General	114.3	
8	(95-01-00)	Secretary of Education	150.7	
9	(95-01-00)	Deputy Secretary of Education	119.0	
10	(95-06-00)	Executive Secretary - Advisory Council on Career		
11		and Vocational Education	91.6	

- 12 (b) (i) Salaries of designated positions in Section 10(a) of this Act shall have no further increase
13 applied by any other section of this Act, except as provided in Section 10(b)(ii), (iii), (iv),
14 and (vii).
- 15 (ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing
16 authority shall submit a request with appropriate justification to the Director of the Office
17 of Management and Budget to establish the salary commensurate with the qualifications
18 of the proposed incumbent and within the position's evaluated pay range. In reviewing
19 requests made pursuant to this paragraph, the Director of the Office of Management and
20 Budget shall provide an analysis of the request and shall solicit the advice and written
21 consent of the Controller General in the event the salary is higher than the amount listed
22 in Section 10(a).
- 23 (iii) Regardless of the provisions of this Act, any state employee who is offered a promotional
24 opportunity to become a division level manager shall be eligible for a five percent
25 promotional salary increase. This eligibility shall be conditioned on a determination that
26 the duties and responsibilities of the division level manager position are at least one pay
27 grade higher than the position proposed to be vacated based on a comparison of
28 equivalent value. For the purpose of this subsection, the equivalent value of one pay
29 grade is defined as seven percent difference in the constant fiscal year dollar value of the

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

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

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

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

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

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

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

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(20-04-00)	Board Members - Professional Regulation		71.5
4	(20-04-00)	Board Members - Public Service Commission		155.0
5	(25-01-00)	Board Members - Revenue	33.0	
6	(38-04-00)	Board Members - Institutional Classification	12.0	
7	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
8	(60-07-00)	Board Members - Industrial Accident Board		230.0
9	(65-01-05)	Harness Racing Commission		13.6
10	(65-01-10)	Thoroughbred Racing Commission		13.6
11	(65-01-12)	Nutrient Management Commission	22.4	
12	(70-02-01)	Board Members - New Castle County Elections	21.5	
13	(70-03-01)	Board Members - Kent County Elections	13.0	
14	(70-04-01)	Board Members - Sussex County Elections	13.0	
15	(95-01-01)	Board Members - State Board of Education	16.8	
16	(95-08-01)	Higher Education Commissioners	2.4	

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

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

23 "(a) The Lieutenant Governor shall receive an annual salary of \$73,027 for serving as
24 President of the Senate, of which \$13,349 shall be for performing other duties."

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

1	1. President Pro Tempore of the Senate	\$19,893.00
2	2. Speaker of the House of Representatives	19,893.00
3	3. Majority and Minority Leader of the Senate	12,376.00
4	4. Majority and Minority Leader of the House	12,376.00
5	5. Chairperson and Vice Chairperson of the Joint Finance Committee	11,459.00
6	6. Majority and Minority Whip of the Senate	7,794.00
7	7. Majority and Minority Whip of the House	7,794.00
8	8. Members of the Joint Finance Committee	9,626.00
9	9. Chairperson and Vice Chairperson of the Capital Improvement	
10	Program Committee	4,578.00
11	10. Members of the Capital Improvement Program Committee	3,852.00
12	11. Chairperson and Vice Chairperson of the Joint Sunset Committee	4,578.00
13	11. Members of the Joint Sunset Committee	3,852.00

14 A member of the General Assembly shall be entitled to receive the higher of any one of the above
15 stipends and receive one-half of the amount of a second stipend of an equal or lesser amount. Eligible
16 recipients of a second stipend may choose not to accept such additional stipend. The stipend(s) included
17 herein shall commence immediately when such member is elected or appointed to such position(s).
18 Payments to such members shall be as described in 29 Del. C. § 2712.”

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

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

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

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

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

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

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

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

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

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

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

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

22 Section 19. Electricity deregulation is set to become effective in Delaware on May 1, 2006. To
23 mitigate anticipated statewide increases in the cost of energy as a result of deregulation, the Office of
24 Management and Budget, Facilities Management (10-02-50) and the Department of Natural Resources,
25 Energy Office (40-01-04) shall develop an energy procurement strategy for all state agencies, not
26 including school districts and institutions of higher education. However, school districts and institutions
27 of higher education may participate in the process if they so choose. The Director of the Office of

1 Management and Budget and the Controller General shall approve said strategy prior to its
2 implementation.

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

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

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

26 Section 22. Notwithstanding Merit Rules 4.4.2 and 4.4.3, an agency that requests approval of a
27 starting rate higher than 85 percent of the midpoint, or that requests that incumbents be leveled up to a
28 newly-hired employee, shall provide documentation showing that sufficient funds exist within the

1 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than
2 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to
3 level up the salary of the existing employees, and shall indicate if sufficient funds exist within the
4 agency's base budget to fund such a leveling-up action. The Director of the Office of Management and
5 Budget and Controller General, with the concurrence of the co-chairs of the Joint Finance Committee
6 shall promulgate policies and procedures to implement this section.

7 Section 23. Effective July 1, 2000, all employee benefit deductions shall be made on a pretax
8 basis. Employees who have currently designated employee deductions on a posttax basis shall continue
9 to have those deductions on a posttax basis as long as the employee remains in a benefit program or the
10 employee makes a change to pretax employee benefit deductions.

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

17 Section 25. In accordance with the provisions of 29 Del. C. § 5106, effective for all fiscal years
18 commencing after June 30, 2003, exceptions to the standard practice of paycheck deductions shall be
19 made for employees paying dues to the Delaware State Education Association (DSEA). For all
20 employees designating that DSEA membership dues be deducted from their bi-weekly paycheck shall
21 have those dues deducted from the 22 pay periods occurring within the 10 month school year. This
22 change will facilitate the maintenance of the state payroll system as well as establish a consistent process
23 for managing the collection of dues from members of the Delaware State Education Association.

24 Section 26. Notwithstanding Chapter 10.0 and Chapter 19.0 of the Merit Rules, upon approval by
25 the Director of the Office of Management and Budget and the Controller General, temporary appointees
26 may be assigned to the same position as that already assigned to a permanent employee in order to
27 complete a special project.

1 Section 27. Employees of the State of Delaware who are enrolled in a health insurance benefit
2 plan must re-enroll in a plan of their choice during the open enrollment period as determined by the State
3 Employee Benefits Committee. Should such employee(s) neglect to re-enroll in the allotted time, said
4 employee(s) and any spouse or dependents shall be automatically re-enrolled in their previous plan as
5 long as verification of employment is provided by the employee and the Office of Management and
6 Budget.

7 Section 28. Notwithstanding any provision of the Delaware Code to the contrary, 29 Del. C. §
8 5207 shall not apply to individuals employed in accordance with 29 Del. C. § 5903(17).

9 Section 29. Notwithstanding any provision in the Delaware Code to the contrary, for the
10 purposes of developing and implementing the Enterprise Resource Planning (ERP) Financial
11 Reengineering Project's PeopleSoft Financials application, necessary adjustments to existing state
12 accounting, budgeting and financial reporting processes and practices may be implemented during Fiscal
13 Year 2006 with the written approval of the Director of the Office of Management and Budget, Controller
14 General, Secretary of Finance and Chief Information Officer.

15 Section 30. Amend 29 Del. C. §5933(a) by inserting the word "disability" after the word
16 "compensation" and before the word "benefits" in the second sentence.

17 Further amend 29 Del. C. §5933(a), by adding the following sentence at the end of subsection (a):
18 "No more than one period of supplemental pay shall be made under this subsection for any work injury,
19 including any recurrence or aggravation of that work injury."

1 Section 31. (a) For the fiscal year ending June 30, 2005, any sums in the following accounts
 2 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2006. Any
 3 appropriation listed below that has a balance of zero on June 30, 2005 shall not continue.

4	Fiscal Year	Account	
5	<u>Appropriation</u>	<u>Codes</u>	<u>Remarks</u>
6	2005	01-01-01-0140	Travel
7	2005	01-01-01-0141	Leg-Mileage
8	2005	01-01-01-0150	Contractual
9	2004/05	01-01-01-0160	Supplies
10	2004/05	01-01-01-0170	Capital
11	2004/05	01-01-01-0181	Committee Expenses
12	2003/04/05	01-02-01-0140	Travel
13	2004/05	01-02-01-0141	Leg-Mileage
14	2004/05	01-02-01-0150	Contractual
15	2004/05	01-02-01-0160	Supplies
16	2003/04/05	01-02-01-0170	Capital
17	2003/04/05	01-02-01-0181	Committee Expenses
18	2004/05	01-05-01-0140	Travel
19	2005	01-05-01-0141	Leg-Travel
20	2004/05	01-05-01-0150	Contractual
21	2004/05	01-05-01-0151	State Governments
22	2005	01-05-01-0160	Supplies
23	2005	01-08-01-0151	Print Laws
24	2005	01-08-01-0170	Capital
25	2001	01-08-01-0185	Tri-Cent Committee
26	2005	01-08-01-0186	Technical Advisory
27	2004/05	01-08-02-0140	Travel
28	2005	01-08-02-0150	Contractual
29	2003/04/05	01-08-02-0160	Supplies

1	2004/2005	01-08-02-0170	Capital
2	1997/98/99	01-08-02-0180	Senior Center Reporting
3	2005	01-08-02-0201	Security
4	2005	01-08-02-0988	JFC Cont.
5	2005	01-08-02-8001	ESLFOA
6	2005	01-08-02-8200	Leg Hall Improvement
7	2002/03/04/05	01-08-02-0181	Contingency – Legislative
8	2004/05	01-08-02-0182	Family Law Commission
9	2004/05	01-08-02-0185	Formula Update
10	1998/99/2000/01/02/03/04/05	01-08-02-0186	Juvenile Detention Oversight Committee
11	1996	01-08-02-0187	Contingency - Legal
12	2001/02/03/04/05	01-08-02-0190	Neighborhood Schools
13	2001/02/03/04/05	01-08-02-0191	Clean Air
14	2005	01-08-02-0193	JFC/CIP
15	2003/04/05	01-08-02-0197	Contingency – Intern
16	2001/2004	01-08-02-0198	One-Time
17	2003/04/05	01-08-02-0200	TriCent Committee
18	2004	01-08-02-0801	Technical Equipment
19	2002	01-08-02-0985	Senior Center Projects
20	2002	01-08-02-0987	Fox Point Park
21	2005	02-01-10-0180	Court on the Judiciary
22	2005	02-02-10-0198	One-Time
23	2005	02-17-01-0180	Retired Judges
24	2005	02-17-01-0183	Victim/ Offender Mediation Program
25	2005	02-17-01-0184	Conflict Attorneys
26	2005	02-17-01-0186	Family Court Civil Attorney
27	2005	02-17-01-0188	Court Appointed Attorneys/Involuntary Commitment
28	2005	02-17-01-0189	Interpreters

1	2004/05	02-17-01-0190	New Castle County Courthouse
2	2004	02-17-01-0192	COTS Support
3	2003	02-17-01-0200	Computer Training
4	2005	02-18-01-0180	Special Needs Fund
5	2005	02-18-03-0180	Ivy Davis Scholarship Fund
6	2005	02-18-06-0198	One-Time
7	2005	10-02-05-0198	One-Time
8	2000	10-02-05-0199	Technology
9	1997	10-02-05-0201	Infrastructure
10	2004/05	10-02-05-0202	Evaluation Project
11	2001	10-02-05-0204	Security
12	2004/05	10-02-06-0196	Contingency Fund
13	2003/05	10-02-10-0185	Data Development
14	2003/04/05	10-02-10-0191	Budget Automation
15	2004	10-02-11-0159	Energy
16	2003/04/05	10-02-11-0185	Legal Fees
17	2005	10-02-11-0189	Salary/OEC
18	2000	10-02-11-0199	Technology Initiative
19	2005	10-02-11-0218	Judicial Nominating Committee
20	2002/03/04/05	10-02-11-0255	Livable Delaware
21	2005	10-02-11-0267	800 MHz
22	2005	10-02-11-0270	Population Placements
23	2005	10-02-20-0181	Employee Recognition
24	2004/05	10-02-20-0187	School-to-Work
25	2004/05	10-02-21-0199	First Quality
26	2005	10-02-31-0150	Contractual
27	2004/05	10-02-31-0183	Self Insurance
28	2001/02	10-02-50-0198	One-Time

1	2004	10-03-01-0198	One-Time
2	2004	10-03-03-0186	Trade
3	1997	10-05-01-0180	Pilot Projects
4	2003/04/05	10-05-01-0182	Program Evaluation
5	2005	10-05-01-0184	Uninsured Action Plan
6	2004/05	10-05-02-0180	Operations
7	2004/05	10-05-03-0180	Operations
8	2005	10-07-01-0188	Grants 02
9	2000	10-07-02-0196	Technology
10	2003	11-02-02-0199	Technology
11	2004	11-03-02-0197	Data Development
12	2004	12-03-01-0195	First Quality
13	2005	20-01-05-0180	Delaware Heritage
14	2003/04/05	20-03-01-0182	Historical Markers
15	1999/00/01/02/03/04/05	20-03-01-0198	One-Time
16	2005	20-06-01-0182	Italo-American Commission
17	2005	20-06-01-0198	One-Time
18	2005	20-06-04-0184	Operations
19	2005	20-06-04-0185	Art Object Refurbishment
20	2003/05	20-06-04-0198	One-Time
21	2005	20-07-01-0182	Arts Grants
22	2005	20-07-01-0198	One-Time
23	2004/05	20-08-01-0180	Library Standards
24	2005	20-08-01-0181	Delaware Electronic Library
25	2004/05	20-08-01-0186	DeINET
26	2005	20-08-01-0188	Public Education Project
27	2005	25-05-01-0150	Contractual Services

1			
2	2002	35-01-20-0197	Development-EBT
3	2005	35-01-20-0183	EBT
4	2005	35-02-01-0189	Medicaid
5	2000	35-02-01-0197	Medicaid Management Information System
6	2004	35-02-01-0201	FMAP
7	2005	35-05-20-0182	Immunizations
8	2005	35-05-20-0183	Hepatitis B
9	2005	35-05-20-0195	First Quality
10	2004	35-07-01-0192	Non Citizen Health Care
11	2002	35-07-01-0197	Technology
12	2005	35-10-01-0197	Data Development
13	2005	35-11-30-0180	Community Services
14	2005	35-11-30-0181	Purchase of Care
15	2005	37-01-10-0187	Community Mapping
16	2004	37-01-15-0196	First Quality
17	2005	37-01-50-0181	MIS Development
18	2005	38-01-10-0186	Warehouse
19	2005	38-01-10-0199	MIS
20	2005	38-01-30-0180	Medical
21	2005	38-01-31-0180	Drug Treatment
22	2004	38-01-40-0199	Maintenance and Restoration
23	2004/05	38-04-01-0185	Distance Learning
24	2005	40-06-05-0150	Contractual Services
25	2004/05	40-08-01-0180	DE Estuary
26	2003/04/05	40-08-07-0182	TMDL
27	2005	45-01-01-0186	Real Time Crime Report
28	1986	45-01-01-0381	Hazardous Waste Revolving Fund

1	2003	45-01-30-0197	Federal Disaster Relief
2	2001/02/03	45-01-30-0198	One-Time
3	2005	45-06-01-0190	DE Intelligence Analysis Center
4	2005	45-06-08-0181	Education Background Checks
5	2005	45-06-09-0198	One-Time
6	2004	45-06-10-0195	First Quality
7	2003	45-06-11-0150	Contractual
8	2003	45-06-11-0160	Supplies
9	2003	45-06-11-0170	Capital
10	2005	60-09-20-0182	Summer Youth Program
11	2005	60-09-20-0188	Skill Grant
12	2005	65-01-01-0198	One-Time
13	2005	70-01-01-0181	School Elections
14	2004	70-01-01-0202	HAVA Match
15	2005	70-02-01-0181	School Elections
16	2004	70-02-01-0198	One-Time
17	2001	70-02-01-0200	Reapportionment/Address Verification
18	2005	70-03-01-0203	Expenses
19	2005	70-03-01-0181	School Elections
20	2005	70-04-01-0203	Expenses
21	2005	70-04-01-0180	Mobile Registration
22	2005	70-04-01-0181	School Elections
23	1997/2004	70-04-01-0198	One-Time
24	2002	75-01-01-0197	Data Development
25	2001	75-02-01-0198	One-Time
26	2005	95-01-01-0189	State Board of Education
27	2005	95-01-01-0194	Educator Certification and Development
28	2001/02/05	95-01-01-0198	One-Time

1	2004/05	95-01-01-0200	Standards and Assessment
2	2005	95-01-01-0202	DSTP
3	2005	95-01-01-0203	Pupil Accounting
4	2005	95-01-01-0212	Professional Standards Board
5	2005	95-01-01-0229	Infrastructure Capacity
6	2004/05	95-01-01-0230	Educator Accountability
7	2001	95-02-02-0202	Educator Accountability
8	2003	95-02-02-0204	School Building Awards
9	2004/05	95-02-02-0204	School Improvement
10	2004/05	95-03-10-0191	Professional Development
11	2005	95-03-15-0127	Smithsonian Project
12	2005	95-03-15-0131	Parents as Teachers
13	2004/05	95-03-20-0127	Student Discipline Program
14	2004/05	95-03-20-0153	3-5 Program
15	2005	95-03-20-0182	Early Childhood Assistance
16	2005	95-03-20-0190	Prison Education
17	1999/2002/03	95-03-20-0198	One-Time
18	2005	95-04-01-0190	Public School Transportation
19	2005	95-07-01-0180	Operations
20	2005	95-08-01-0183	Scholarship
21	1998	95-08-01-0184	DHEC
22	2004/05	95-08-01-0185	Ferguson DSTP Scholarship
23	2004/05	95-08-01-0188	Physician Loan
24	2004/05	95-08-01-0189	Legislative Essay
25	2005	95-08-01-0190	National Teacher Certification
26	2005	95-08-01-0198	One-Time (Carson Scholarships)
27	1997	95-08-01-0975	GIA Section 1
28	1998	95-08-01-0977	GIA Tuition

1	2003	95-33-00-0172	MCI
2	2003	95-33-00-0173	MCI-VE
3	2005	95-38-00-0252	Equalization HB 324

4 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and
5 not be subject to reversion until September 30, 2006: Tuition Reimbursement (appropriation 0189),
6 Student Mentoring (appropriation 0207), Discipline Part II (appropriation 0201), LEP (appropriation
7 0233), Professional and Curriculum Development (appropriation 0205), Professional Mentoring
8 (appropriation 0151), Teacher to Teacher Instructional Cadre (appropriation 0206). Program expenses
9 may not be incurred subsequent to the start of the regular 2006-2007 school year.

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

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

15 (e) For the fiscal year ending June 30, 2005, any sums for Fiscal Year 2005 Division II – All
16 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (appropriation
17 0265), Division II – Energy (appropriation 0159), Division III – Equalization (appropriation 0186),
18 Education Expense and Property Tax Relief Funds (appropriation 0287), School Building Awards
19 (appropriation 0243), and Innovative After School Initiative (appropriation 0245) shall become a
20 continuing appropriation in each local school district for the period of one fiscal year.

21 (f) For the fiscal year ending June 30, 2005, any fiscal year 2003, 2004 or 2005 School
22 Improvement Funds (appropriation 0244) shall become a continuing appropriation in each local school
23 district for the period of one fiscal year.

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

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

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

12 (ii) For the fiscal year ending June 30, 2005, any authorizations in the following accounts
13 shall remain as continuing appropriations and shall not be subject to deauthorization
14 until June 30, 2006.

15	2005	55-01-01-6800	Operations/Capital
16	2004/05	55-01-01-6805	Salary Contingency
17	2005	55-01-01-6815	Personnel Costs
18	2005	55-01-02-6800	Operations/Capital
19	2003	55-01-02-6809	PY Operations
20	2003/05	55-01-02-6815	Personnel Costs
21	2005	55-01-03-6800	Operations/Capital
22	2005	55-01-03-6815	Personnel Costs
23	2005	55-01-04-6801	Travel
24	2004/05	55-01-04-6802	Contractual/Supplies
25	2005	55-01-04-6804	Capital Outlay
26	2005	55-01-04-6815	Personnel Costs
27	2005	55-02-01-6801	Travel
28	2003/05	55-02-01-6802	Contractual/Supplies

1	2005	55-02-01-6803	Energy
2	2005	55-02-01-6804	Capital Outlay
3	2005	55-02-01-6815	Personnel Costs
4	2005	55-02-03-6801	Travel
5	2005	55-02-03-6802	Contractual/Supplies
6	2005	55-02-03-6804	Capital Outlay
7	2005	55-02-03-6815	Personnel Costs
8	2001/02/03/04/05	55-03-01-6800	Contractual/Supplies
9	2005	55-03-01-6815	Personnel Costs
10	2005	55-04-01-6800	Operations/Capital
11	2005	55-04-01-6815	Personnel Costs
12	2004	55-04-70-6800	PY Carryover
13	2003/04/05	55-04-70-6802	Contractual/Supplies
14	2005	55-04-70-6803	Energy
15	2004/05	55-04-70-6804	Capital Outlay
16	2005	55-04-70-6805	Storm Contingency
17	2005	55-04-70-6815	Personnel Costs
18	2005	55-04-90-6801	Travel
19	2005	55-04-90-6802	Contractual/Supplies
20	2005	55-04-90-6803	Energy
21	2005	55-04-90-6804	Capital Outlay
22	2005	55-04-90-6805	E-ZPass Operations
23	2005	55-04-90-6815	Personnel Costs
24	2005	55-06-01-8570	Transit Administration
25	2004	55-08-10-6800	PY Carryovers
26	2005	55-08-10-6815	Personnel Costs
27	2005	55-08-20-6815	Personnel Costs
28	2005	55-08-30-0195	First Quality

1	2005	55-08-30-6801	Travel
2	2005	55-08-30-6802	Contractual/Supplies
3	2005	55-08-30-6804	Capital Outlay
4	2005	55-08-30-6815	Personnel Costs
5	2005	55-08-40-6802	Contractual/Supplies
6	2005	55-08-40-6803	Energy
7	2005	55-08-40-6804	Capital Outlay
8	2005	55-08-40-6815	Personnel Costs
9	2005	55-11-10-6801	Travel
10	2005	55-11-10-6804	Capital Outlay
11	2005	55-11-10-6807	Contractual Services
12	2005	55-11-10-6808	Supplies and Materials
13	2005	55-11-10-6815	Personnel Costs
14	2005	55-11-10-6820	Motorcycle Safety
15	2005	55-11-10-6821	Off Highway Vehicles
16	2005	55-11-20-6807	Contractual Services
17	2005	55-11-20-6808	Supplies and Materials
18	2005	55-11-20-6815	Personnel Costs
19	2005	55-11-20-6822	CDL Fees
20	2005	55-11-30-6801	Travel
21	2005	55-11-30-6804	Capital Outlay
22	2005	55-11-30-6807	Contractual Services
23	2004/05	55-11-30-6808	Supplies and Materials
24	2005	55-11-30-6815	Personnel Costs
25	2005	55-11-30-6823	Odometer Forms
26	2005	55-11-30-6824	Special License Plates
27	2005	55-11-30-6825	DMVT
28	2005	55-11-50-6801	Travel

1	2004/05	55-11-50-6807	Contractual Services
2	2005	55-11-50-6808	Supplies and Materials
3	2005	55-11-50-6815	Personnel Costs

1 TOBACCO – MASTER SETTLEMENT AGREEMENT

2 Section 32. (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 (10-05-01) Health Care Commission

6	\$1,000.0	Uninsured Action Plan
7	\$ 48.1	1.0 ASF FTE – Assistance to the Commission on health issues
8	\$9.0	Casual and Seasonal assistance

9 (15-01-01) Attorney General

10	\$148.8	2.0 ASF FTEs - legal matters relating to tobacco laws and regulations
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11 (35-05-20) Health and Social Services – Community Health

12	\$500.0	Diabetes
13	\$1,990.4	New Nurse Development Program at Delaware Technical and Community 14 College
15	\$169.0	Personnel Costs associated with Tobacco Control Programs

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

18	\$3,490.0	Tobacco prevention through Community Based organizations.
19	\$ 150.0	Christiana Care for research and testing regimens of detecting lesser known 20 illnesses
21	\$130.0	Kent County/ Sussex Co. Consumer Health Services – Delaware Academy of 22 Medicine
23	\$ 50.0	Urban Health Project
24	\$200.0	Children and Families First – Resource Mothers Program

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

1	\$150.0	Cancer Care Connection
2	\$200.0	The Wellness Community
3	\$75.0	Delaware Breast Cancer Coalition
4	\$355.0	Breast and Cervical Cancer Treatment (35-02-01)
5	\$295.8	Delaware Help Line
6	<u>(35-05-30) Health and Social Services – Emergency Medical Services</u>	
7	\$371.5	Public Access Defibrillation initiative
8	<u>(35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health</u>	
9	\$75.0	Limen House
10	\$200.0	Transitional housing for persons completing detoxification
11	\$500.0	Heroin Residential Program
12	\$47.6	University of Delaware – Delaware School Survey
13	<u>(35-02-01) Health and Social Services – Medicaid and Medical Assistance</u>	
14	\$7,874.3	Prescription Drug Program
15	\$1,215.0	SSI coverage for persons who lose benefits due to unearned income; Health care
16		coverage and supplemental payments necessary to insure federal Medicaid
17		matching funds for former SSI persons who lose benefits due to unearned income
18	\$508.7	Increase Medicaid eligibility for pregnant women/infants to 200 percent of
19		poverty
20	<u>(35-07-01) Health and Social Services – Social Services</u>	
21	\$1,240.4	SSI Supplement
22	<u>(35-11-30) Health and Social Service – Community Services</u>	
23	\$70.0	Family Support Services
24	<u>(35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities</u>	
25	\$351.2	Assisted Living
26	\$129.9	Caregiver Support
27	\$360.0	Assisted Care

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

2 \$110.0 Tobacco Prevention Programs for Youth

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

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

5 (95-01-01) Public Education – Department of Education

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

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

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

11 All of the above allocations are contained in the specified budget units in Section 1 of this Act
12 including associated positions and line item funding. The funds herein appropriated shall be disbursed in
13 accordance with the recommendations of the Delaware Health Fund Advisory Committee as amended by
14 the Joint Finance Committee. The 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 33. Section 1 of this Act makes an ASF appropriation to the Department of Health and
24 Social Services, Division of Medicaid and Medical Assistance (35-02-00) for the Prescription Assistance
25 Program and other programs funded with Tobacco Settlement funds. These funds may be used for both
26 the client services and administrative costs of the programs.

27 Section 34. 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 15th

1 per Senate Bill 8 as amended of the 140th 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.

FEDERAL FISCAL RELIEF

Section 35. (a) For the fiscal year ending June 30, 2005, any unencumbered and unexpended funds in the following accounts shall continue into the next fiscal year and shall not be subject to reversion to the Federal Fiscal Relief fund until June 30, 2006.

Fiscal Year	Account Code	Remarks
2005	10-02-04-9950	Innovative Technology Fund
2005	10-02-04-9951	Federally Qualified Health Centers
2005	10-08-01-9950	Housing Development Fund
2005	35-05-20-9950	Cancer Council Recommendations-Year 2
2005	41-06-02-9950	State Park Water Quality Initiative
2005	95-02-02-9951	Full-Day Kindergarten

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

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

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

\$205.0 Contractual Services (Supervised Apartments)

(45-06-08) Safety and Homeland Security – State Bureau of Identification

\$97.5 Supplies and Materials (Vest Replacements)

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

(45-06-11) Delaware State Police – Transportation

\$254.9 Vehicles

(76-01-01) Delaware National Guard

\$12.5 Supplies and Materials (Medal Sets)

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

LEGISLATIVE

1
2 Section 36. 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 37. 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 38. 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 39. The Controller General shall receive compensation at a rate of a Tier 2 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 40. This Act provides continuing appropriations to the Office of the Controller General
19 (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be
20 approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising
21 from planning for and implementation of neighborhood schools.

JUDICIAL

1
2 Section 41. Section 1 of this Act contains position authorizations and associated appropriations
3 to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in
4 the following courts as required by caseload and permitted by staffing:

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

10 Section 42. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-
11 00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the
12 Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an
13 amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office.
14 Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a
15 portion of the fines and fees collected from receivables inherited from the former City of Wilmington
16 Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court
17 Clerks, one Judicial Case Processor and one Fiscal Administrative Officer assigned to collect these
18 receivables. Adjustments to the Appropriated Special Fund spending authority for these courts may be
19 made upon the concurrence and approval of the Director of the Office of Management and Budget and the
20 Controller General.

21 Section 43. The position of Master in Chancery/Chief Staff Attorney (B.P. #56683), as well as
22 any additional Master in Chancery/Chief Staff Attorney position(s) that may be established in the future
23 for the Court of Chancery (02-02-10), shall receive the same salary as Commissioner in the Superior
24 Court.

25 Section 44. (a) Notwithstanding any other provisions of the Delaware Code to the contrary, any
26 unencumbered Victim Compensation Fund balance in excess of \$5,000,000 as of June 30 shall be
27 deposited into the Crime Rehabilitation Fund. From the Crime Rehabilitation Fund, \$429.3 ASF shall be
28 transferred to Contractual Services in the Office of the Attorney General (15-01-01) to fund family

1 violence services in New Castle County and \$230.2 ASF shall be transferred to said appropriation to fund
2 family violence services in Kent and Sussex counties; \$273.8 ASF shall be transferred to Victims Rights
3 in the Office of the Attorney General; and \$106.0 ASF shall be transferred to Contractual Services in the
4 Department of Correction, Community Corrections, Probation and Parole (38-06-02) to support a
5 community restorative justice program in New Castle County.

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

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

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

14 Section 46. Upon the approval of a plan submitted to the Director of the Office of Management
15 and Budget, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall
16 have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts
17 for the purpose of further centralizing personnel, finance, collections and filing/records management
18 functions therein. Notwithstanding any other provisions of this Act or the Delaware Code to the contrary,
19 positions and related operating funds may be transferred from Supreme Court (02-01-00), Court of
20 Chancery (02-02-00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-
21 08-00) and Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of
22 the State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court
23 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information
24 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle
25 County may be considered for transfer under this section. In the cases where Merit System positions are
26 transferred, the incumbents shall retain their Merit System status.

27 Section 47. Section 1 of this Act appropriates \$70.1 in Personnel Costs and 3.0 FTEs to
28 Administrative Office of the Courts–Court Services, Office of the State Court Administrator (02-17-01)

1 for positions funded by an expiring federal grant. Upon the expiration of the grant, the 3.0 existing Non-
2 appropriated Special Fund positions will be converted to General Fund positions.

3 Section 48. Section 1 of this Act appropriates \$275.0 to the Office of Management and Budget,
4 Contingencies and One-Time Items (10-02-11) for the purpose of providing civil legal services to the
5 indigent. Upon the concurrence and approval of the Director of Management and Budget and the
6 Controller General, this amount shall be used by the Administrative Office of the Courts, Office of the
7 State Court Administrator (02-17-01) exclusively for civil legal services to the indigent with the guidance
8 of the Delaware Bar Foundation.

9 Section 49. The Administrative Office of the Courts shall convene a committee consisting of
10 representatives of the Office of the Public Defender, the Department of Justice, and publicly funded
11 indigent defense counsel to propose methods of insuring appropriate allocation of personnel and resources
12 among the courts and these agencies in order to prevent the inefficiencies which are created by
13 personnel/resource imbalances. Said committee shall report back to the Director of Management and
14 Budget and the Controller General no later than March 15, 2006.

15 Section 50. Amend 10 Del. C. §906(b) by deleting the number “15” and inserting in lieu thereof
16 the number “17”. Further amend 10 Del. C. §906(e) by deleting the number “8” and inserting in lieu
17 thereof the number “10”.

18 Section 51. The Administrative Office of the Courts (AOC) shall prospectively coordinate with
19 the Department of Information and Technology to develop electronic document systems projects for the
20 Courts, subject to review and approval by the Technology Investment Council (TIC); provided however,
21 that such review and approval by the TIC shall not apply to existing licensing agreements, contracts or
22 projects related to electronic document systems entered into or approved by the AOC on or prior to June
23 30, 2005. Notwithstanding Chapter 69 of Title 29 of the Delaware Code, or any other law to the
24 contrary, the AOC is authorized to enter into licensing agreements or other contracts with private
25 companies on behalf of the Courts for electronic document systems. Such systems shall include filing
26 and publication of judicial opinions and related docket files, electronic tracking and researching services,
27 as well as internet access for video transmission of court proceedings, video conferencing and related
28 technological services. Fees derived from such contracts or licensing agreements shall be applied by the

1 respective Courts to offset expenses related to e-filing, video conferencing, video streaming,
2 technological improvements, and related court and courtroom improvements."

3 Section 52. Section 1 of this Act provides an appropriation to the Child Death, Near Death and
4 Stillbirth Commission (02-18-06) for the Fetal Infant Mortality Review. Included in this appropriation is
5 \$103.0 in Personnel Costs and 3.0 GF FTEs, \$4.2 in Travel, \$53.2 in Contractual Services and \$3.5 in
6 Supplies and Materials.

7 Section 53. Section 1 of this Act makes an appropriation to the Administrative Office of the
8 Courts – Non – Judicial Services , Delaware Nursing Home Residents Quality Assurance Commission
9 (02-18-07) of 1.0 General Fund FTE and \$30.0 in Personnel Costs to fund an Administrative Specialist
10 II. This position shall provide clerical support for the Commission. The position shall be hired by and
11 report to the Commission.

EXECUTIVE

Section 54. (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:

DEPARTMENT/AGENCY	SERVICE NEED
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 Marsha	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, 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 of the
- 5 development and operational life cycles.

6 In no instance shall any project be approved by the Director of the Office of Management and Budget if
7 any portion of the above project plan requirements are absent from the department's/agency's request for
8 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 55. Section 1 of this Act includes the reengineering of the Office of the Budget, Office of
5 State Personnel and the Department of Administrative Services into a newly established Office of
6 Management and Budget. The Director, under the authority in 29 Del. C. §5903 (23), shall establish the
7 new organizational structure, and all powers and duties formally given by law to the State Personnel
8 Director and Secretary of the Department of Administrative Services, except for those otherwise
9 referenced in this section, shall devolve to the Director or designee. This reengineering also includes
10 reallocating Regulation and Licensing, Office of Disability Affairs, Public Integrity Commission, Merit
11 Employee Relations Board and the Public Employment Relations Board into the Department of State, and
12 all related powers and duties formally given by law to the Secretary of the Department of Administrative
13 Services pertaining to those units shall devolve to the Secretary of State. The Director of the Office of
14 Management and Budget, upon the concurrence of the Controller General and the co-chairs of the Joint
15 Finance Committee, may transfer any general funds, appropriated special funds, associated spending
16 authority and any associated positions between the Office of Management and Budget and the
17 Department of State to address transition issues as they arise during the fiscal year.

18 Section 56. In order to make an effective and efficient transition, the Office of Management and
19 Budget shall conduct an annual employee satisfaction survey and a comprehensive evaluation through
20 surveys and any other means and submit said results as well as a plan for improvement in such areas as
21 customer service and planned efficiencies to the Governor, co-chairs of the Joint Finance Committee and
22 Controller General no later than May 1 of each fiscal year. The co-chairs of the Joint Finance Committee
23 shall have the opportunity to provide input on the survey instrument as well as the submitted
24 improvement plan.

25 Section 57. Section 1 of this Act appropriates \$400.0 to the Office of Management and Budget,
26 Contingencies and One-Time Items (10-02-11) for increased costs of alternative schools. The Office of
27 Management and Budget and Controller General's Office shall work with the Department of Education

1 and alternative schools statewide to determine the allocation of such funds. The co-chairs of the Joint
2 Finance Committee shall approve the allocation prior to the release of funds.

3 Section 58. The Director of the Office of Management and Budget and Controller General are
4 authorized to settle the outstanding debts of the Delaware Children's Trust Fund during Fiscal Year 2006.
5 Said offices shall conduct a review of the organizational structure of the Delaware Children's Trust Fund
6 and provide recommendations for improvement to the Governor and Co-Chairs of the Joint Finance
7 Committee no later than December 1, 2005.

8 Section 59. Section 1 of this Act appropriates \$1,750.0 to the Office of Management and Budget,
9 Contingencies and One Times (10-02-11) for Two Year Nursing Expansion Initiative. Said funds shall be
10 used to address Delaware Technical and Community College's (DTCC) recommendations to mitigate the
11 shortage in the nursing and allied healthcare fields. DTCC shall provide a detailed expansion plan to the
12 Director of the Office of Management and Budget and Controller General no later than July 31, 2005 to
13 reduce the backlog in its nursing and allied health programs, increase the number of nursing and allied
14 health graduates, and to work collaboratively and in partnership with health care providers throughout the
15 state to deliver clinical instruction in accordance with academic accreditation requirements. Said funds
16 shall be transferred to DTCC upon approval of the Director of the Office of Management and Budget,
17 Controller General and Co-Chairs of the Joint Finance Committee.

18 Section 60. Section 1 of this Act appropriates \$500.0 to the Office of the Management and
19 Budget, Contingencies and One Times (10-02-11) for Four Year Nursing Expansion Initiative. Of the
20 amount appropriated, \$250.0 shall be allocated to the University of Delaware and \$250.0 shall be
21 allocated to Delaware State University to expand their nursing programs. Both universities shall provide a
22 detailed expansion plan to the Director of the Office of Management and Budget and Controller General
23 no later than July 31, 2005. Said funds shall be transferred to the University of Delaware and Delaware
24 State University upon approval of the Director of the Office of Management and Budget, Controller
25 General and the Co-Chairs of the Joint Finance Committee.

26 Section 61. All agencies are directed to remit payment for services rendered by the Department
27 of Technology and Information within 30 days of receipt of invoice. Services may include, but are not

1 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional
2 services, and data processing services.

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

10 Section 62. The General Assembly finds that the establishment of the federal Temporary Aid to
11 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases
12 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve
13 Account for Children's Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall
14 be available to mitigate to the extent possible, projected deficits in TANF supported programs within
15 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall
16 require the approval of the Director of the Office of Management and Budget and Controller General.

17 Section 63. The amount appropriated to the Office of Management and Budget, Contingency and
18 One-Time Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of
19 overpayment of fringe benefits, and other obligations except coding errors by a school district which
20 require adjustment of the state's accounts. Any use of the Prior Years' Obligations account by any agency
21 receiving funds in Section 1 of this Act, in excess of the amount reverted from the applicable line code on
22 June 30 of the fiscal year in which the expense was incurred, will require the requesting agency or school
23 district to reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A
24 line code reversion sum does not negate the necessity of encumbering sufficient funds to cover known
25 expenses, proof of circumstances beyond an agency's ability to encumber must be documented on the
26 request for transfer to be excluded from the reimbursement clause. All requests for prior year funds to
27 complete the payment of one-time items will require a reimbursement to the Prior Years' Obligations
28 account by the requesting agency from any appropriation other than personnel costs. The reimbursement

1 can be removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal
2 judgments against the agency or school district. A reimbursement under this Section shall not be deemed
3 to be prohibited by 10 Del. C. § 8111.

4 Section 64. (a) For Fiscal Year 2006, 29 Del. C. § 6529 is interpreted to include the ability to
5 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher
6 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this
7 section. Implementation of a hiring review process shall require all positions to be reviewed and approved
8 by the Director of the Office of Management and Budget prior to filling. All non-cabinet agency hiring
9 requests shall also require the review and approval of the Controller General prior to filling.

10 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters
11 3.0000 and 13.0000 of the Merit Rules notwithstanding, the Director of the Office of
12 Management and Budget shall have the authority to extend temporary promotions based on
13 agency need until the hiring review process has ended. At the time the hiring review process
14 has ended, those temporary promotions granted during the hiring review process shall be
15 subject to the limitations identified in the Merit Rules governing the duration of temporary
16 promotions.

17 Section 65. The appropriation in Section 1 of this Act to the Office of Management and Budget,
18 Contingencies and One-Time Items (10-02-11) for Contingency, Appropriated Special Funds for
19 \$23,000.0 shall be used to make adjustments in the amount of state special fund appropriations in the
20 event additional state special funds are received which were not previously anticipated. Such adjustments
21 shall be made in accordance with the approval of the Director of the Office of Management and Budget
22 and the Controller General.

23 Section 66. Section 1 of this Act appropriates \$4,405.2 to the Office of Management and Budget
24 Contingencies and on-Time Items (10-02-11) for a two percent post-retirement increase. This increase is
25 contingent upon the passage of legislation effecting such an increase. The 2.60 percent post-retirement
26 increase rate established in Section 7(c) of this Act is sufficient to fully cover any and all costs associated
27 with the aforementioned increase.

1 Section 67. Section 1 of this Act includes \$500.0 for the Recruitment and Retention Education
2 and Training Fund in the Office of Management and Budget (10-02-11). The Director of the Office of
3 Management and Budget, with the concurrence of the Controller General, shall establish guidelines
4 relative to the acceptable use of said funds to address recruitment and retention education and training
5 issues statewide. Disbursement of the aforementioned monies shall be subject to the approval of the
6 Director of the Office of Management and Budget, Controller General, and co-chairs of the Joint Finance
7 Committee.

8 Section 68. (a) Section 1 of this Act appropriates \$352.3 to the Office of Management and
9 Budget, Contingencies and One-Time Items (10-02-11) for increases to Hazardous Duty Levels A and B.
10 Funding in this appropriation shall be used to increase the rate of Hazard Duty Level A by \$400 to
11 \$2,320.00 annually and Hazard Duty Level B by \$200 to \$1,100.0 annually.

12 (b) The Office of Management and Budget and Controller General is directed to submit a review
13 of all classes currently receiving Hazardous Duty pay that shall include recommendations for any
14 modifications to current levels. The report shall be made no later than December 15, 2005, to the
15 Governor and Co-chairs of the Joint Finance Committee.

16 Section 69. Section 1 of this Act appropriates \$150.0 to the Office of Management and Budget,
17 Contingencies and One-Time Items (10-02-11) for Veteran's Home Operations. These funds shall be
18 used for the start-up and initial operational costs of the newly approved Veteran's Home. In addition, 2.0
19 FTEs may be established after July 1, 2005 in order to employ the initial management positions for the
20 facility. All spending and position establishments shall be subject to the approval of the Director of the
21 Office of Management and Budget and Controller General.

22 Section 70. Section 1 of this Act provides an appropriation to Office of Management and Budget,
23 Contingencies and One-Time Items (10-02-11). It is the intent that the appropriation for One-Time
24 Appropriations in the amount of \$2,668.5 shall be non-recurring expenditure items. The Director of the
25 Office of Management and Budget shall transfer the appropriations as itemized to the departments. Each
26 receiving department shall identify the line item, object code and, for all practical purposes, complete and
27 separate accountability for each appropriation amount transferred. No appropriation shall be transferred
28 without the Director of the Office of Management and Budget and the Controller General approvals. Any

1 one-time appropriation for computer hardware, software and telecommunications, which contemplates the
 2 development of computer-related systems, shall be transferred into the line Computer One-Time Projects
 3 in Office of Management and Budget, Budget Administration (10-02-10). The expenditure of computer
 4 or computer related funds shall be subject to the restrictions of the Development Fund.

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

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

9	(01-05-01)	CSG	\$ 75.0
10	(01-08-02)	ESLFOA	10.0
11			
12	(02-03-10)	Equipment and Supplies for Investigative Services Officers	25.5
13	(02-08-10)	Equipment and Supplies	35.6
14	(02-08-10)	Furniture, Computer, Equipment for New Positions	11.8
15	(02-18-05)	Child Advocate - Sussex County Office Start-up	23.5
16	(02-18-17)	Furniture, Computer, Equipment. for New Office	5.0
17			
18	(10-02-50)	Equipment	1.0
19	(10-03-03)	Product Development	100.0
20	(10-03-03)	Kalmar Nyckel	34.0
21	(10-07-01)	HOPE Commission	100.0
22	(10-07-02)	Key Card Access System	7.9
23			
24	(12-05-01)	Population Demographic Study	75.0
25			
26	(15-01-01)	Equipment and Supplies for New Positions	39.0
27	(15-01-01)	Extradition Vehicles	40.0
28	(15-02-01)	Equipment and Supplies for New Positions	15.0
29	(15-02-01)	Lifecycle Hardware & Software Replacement	50.0
30			
31	(20-03-01)	Historical Markers	125.0
32	(20-03-01)	Revolutionary War Monument	200.0
33	(20-03-01)	Art Guide	50.0
34			
35	(35-02-01)	Infant Mortality Task Recommendations	50.0
36	(35-05-10)	Data Collection Study on the Cost of Teen Pregnancy	25.0
37	(35-05-20)	Caesar Rodney School Base Health Centers	5.0
38	(35-05-20)	Infant Mortality Task Recommendations	25.0
39			
40	(38-06-04)	HB 86 Pilot Program - Alcohol Monitoring	153.3
41			
42	(40-06-01)	Cameras for Cape Henlopen State Park	34.0
43	(40-06-01)	Equipment for Killens Pond State Park	35.0
44	(40-06-01)	Barrier for Brandywine State Park	25.0
45	(40-06-05)	Pedestrian Safety Lighting for Wilmington Park	150.0
46	(40-07-02)	Surface Water Management Task Force	250.0

1	(45-06-01)	Technology to Test Deflation Protection	50.0
2	(45-06-03)	School Resource Officer Uniforms	10.3
3	(45-06-03)	Uniforms for Additional Troopers	26.0
4	(45-06-05)	School Resource Officer Mobile Data Computers	18.4
5	(45-06-05)	Mobile Data Computers for Additional Troopers	46.0
6	(45-06-05)	Mobile Data Computers/Printers for Motorcycles	17.8
7	(45-06-09)	Critical Incident Stress Management	10.0
8	(45-06-09)	School Resource Officer Equipment	12.4
9	(45-06-10)	School Resource Officer Radios	34.8
10	(45-06-10)	Radios for Additional Troopers	87.0
11			
12	(65-01-01)	Crop Insurance	350.0
13	(65-01-11)	Laptops and Electronic Scales	5.2
14	(65-01-12)	Nutrient Management Demonstration and Research Project	160.0
15			
16	(76-01-01)	House Concurrent Resolution 14	20.0
17			
18	(95-01-01)	Science in Motion - Van Replacement	20.0
19	(95-01-01)	Statewide Student Growth Assessment Pilot	25.0

20 Section 71. Section 1 of this Act appropriates \$250.0 to the Office of Management and Budget,
21 Contingencies and One-Time Items (10-02-11) for Actuarial Studies for Health Care. Said funds shall be
22 used to complete a comprehensive actuarial study involving at least two different firms to review existing
23 proposals to reduce the number of uninsured and underinsured Delawareans. Said study shall include, but
24 not be limited to, the separate proposals submitted by each of the following agencies: the Insurance
25 Commissioner’s Office, the Delaware Health Care Commission, and the Department of Health and Social
26 Services. The findings of said studies shall be submitted to the Governor and Co-Chairs of the Joint
27 Finance Committee no later than December 1, 2005. The Co-Chairs of the Joint Finance Committee shall
28 be consulted with regard to the design of the study and the selection of any third party selected pursuant
29 to such study.

30 Section 72. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of
31 Management and Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical
32 Analysis Center. This position shall be exempt from the Merit System until such time as the current
33 incumbent vacates the position, at which time the position shall be classified by the Director of the Office
34 of Management and Budget in accordance with the Merit System and 29 Del. C. c. 59.

35 Section 73. The Statistical Analysis Center (10-02-08) shall submit by July 15 an annual project
36 schedule for the fiscal year that details the staff workload and time allocation. Requests for (special)
37 projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This

1 schedule shall be reviewed by the Criminal Justice Council and approved by the Director of the Office of
2 Management and Budget and the Controller General. No changes shall be made to the annual project
3 schedule without the approval of the Director of the Office of Management and Budget. After July 15, all
4 ad hoc requests for projects seeking completion during the fiscal year shall be reviewed by the Director of
5 the Office of Management and Budget. Work shall not commence on these projects without the approval
6 of the Director of the Office of Management and Budget.

7 Section 74. The Director of the Office of Management and Budget, the Controller General and
8 the State Court Administrator shall make a recommendation by March 1, 2006 to the Chairs of the Joint
9 Finance Committee regarding the feasibility of moving the Statistical Analysis Center to the
10 Administrative Office of the Courts. The recommendation may offer other appropriate suggestions for
11 the budgetary location of the Statistical Analysis Center.

12 Section 75. Any other statutory provision notwithstanding, any change to the Merit Rules
13 required by an Act of Legislature, shall be codified in the Merit Rules by the Office of Management and
14 Budget.

15 Section 76. Section 1 of this Act appropriates 2.0 ASF FTEs in Human Resources Operations
16 (10-02-20). The Director of the Office of Management and Budget shall be the appointment authority for
17 these positions, which shall be Human Resource Officers who will work on personnel issues for the
18 Department of Transportation. The source of funding for these positions shall be the Department of
19 Transportation, Human Resources (55-01-04) and the agency shall reimburse the Office of Management
20 and Budget quarterly for all Personnel Costs and Other Employee Costs associated with these two
21 positions.

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

26 The committee membership will consist of the Chairman and the Vice Chairman of the
27 Legislative Joint Finance Committee, one member of the Senate appointed by the President Pro Tem, one
28 member of the House of Representatives appointed by the Speaker, three member appointed by the

1 Chairman of the Board of Pension Trustees, one member of the Pension Advisory Council, the Pension
2 Administrator, the Director of the Office of Management and Budget, and the Controller General.

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

5 Section 78. Notwithstanding any provision to the contrary, for the purposes of developing and
6 implementing PHRST Time & Labor, e-Recruit and other PeopleSoft modules, necessary adjustments to
7 existing State human resource procedures shall be implemented during Fiscal Year 2006 with the written
8 approval of the co-chairs of the Joint Finance Committee, the Director of the Office of Management and
9 Budget and the Controller General.

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

12 Section 79. Whenever the annual valuation of the market value of the assets of the Special
13 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special
14 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20
15 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

16 Section 80. Pursuant to House Bill 100 of the 141st General Assembly, the costs associated with
17 said initiative have been built into the rates for state employee health benefits for Fiscal Year 2006.

18 Section 81. House Bill 100 of the 141st General Assembly which implements insurance coverage
19 for drug and alcohol dependencies becomes effective July 1, 2005. To permit insurance carriers a
20 reasonable amount of time for implementation, this Act shall apply to all policies, contracts, certificates or
21 programs issued, renewed, modified, altered, amended or reissued on after January 1, 2006.

22 Section 82. The Board of Pension Trustees may allocate the pension/health insurance monies
23 received from the State during any month to ensure that funds are available to pay health insurance
24 premiums for retirees in each month.

25 Section 83. During the fiscal year, the Office of Management and Budget Management, Facilities
26 Management (10-02-50), shall retain the rental fees as Appropriated Special Funds for the buildings
27 known as the Kent County Courthouse, O'Brien Building, Family Court Building, the Sussex County
28 Courthouse, Sussex County Chancery Court, Absolom Jones/Belvedere State Service Center and New

1 Castle County Courthouse. The retained portion must be deposited as per state laws and shall be
2 disbursed per Section 1 of this Act.

3 Section 84. For energy backcharge purposes, the Office of Management and Budget, Facilities
4 Management (host department) current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten
5 percent of the Public Safety Building, for which energy payment is the responsibility of the host
6 department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of
7 the energy bills upon request for payment by the host department.

8 Section 85. The Director of the Office of Management and Budget shall work in concert with the
9 Chief Justice or his designee to prioritize projects and ensure completion of necessary renovations and
10 equipment acquisitions within the court system.

11 Section 86. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for
12 employee parking in the Government Center Parking Garage as long as long as such payments are
13 continuances of payments made prior to May 31, 1998. Such payments shall cease when the employee
14 leaves the positions he or she occupied prior to May 31, 1998.

15 Section 87. (a) Notwithstanding any state law to the contrary, the Office of Management and
16 Budget, Fleet Management (10-02-42) may implement a pilot videoconferencing initiative including the
17 utilization of no more than six videoconferencing units. State agencies participating in the pilot program
18 may be assessed and shall pay the charge initiated in Fiscal Year 2003 for the usage of videoconferencing
19 services and equipment. Such payments are considered allowable charges to all sources of state funding;
20 sources include General Fund, Appropriated Special Funds, Non-appropriated Special Fund, Federal
21 Funds and Transportation Trust Fund.

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

25 Section 88. Section 1 of this Act appropriates \$745.8 ASF to the Office of Management and
26 Budget, Facilities Management (10-02-50) for maintenance expenses associated with the Traffic
27 Management Control Center and the following Motor Vehicle buildings: New Castle County, Hessler,
28 Kent County and Sussex County. The source of funding for maintaining said facilities shall be the

1 Department of Transportation. The Office of Management and Budget shall bill the Department of
2 Transportation quarterly for actual maintenance costs incurred for said facilities.

3 Section 89. Notwithstanding the provisions of any other law, for the fiscal year ending June 30,
4 2006 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the
5 extent of such interest earnings, be used in the following order and manner, not to exceed the amounts so
6 noted:

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

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

12 (iii) The third \$375.0 shall be used for the general operating expenses of the Delaware Small
13 Business Development Center.

14 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program
15 within the Delaware Economic Development Authority (10-03-03). It is the intent of the
16 General Assembly that these funds shall be used together with non-state contributions to
17 the Delaware Business Marketing Program. Non-state contributions may be made in cash,
18 or in-kind. Non-state cash contributions shall be deposited in a special fund for business
19 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued
20 at their fair market value and recorded in records maintained by the Delaware Economic
21 Development Authority in connection with the Delaware Business Marketing Program.
22 Expenditures of the program shall be divided between non-state contributions and state
23 funds for any fiscal year's appropriations such that non-state contributions are not less than
24 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to
25 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-
26 kind contributions. These funds shall not be used for hiring full-time employees. On or
27 before April 1, 2006, the Director of the Delaware Economic Development Office shall
28 provide to the Director of the Office of Management and Budget and the Controller

1 General a report on the Delaware Business Marketing Program. The report shall include an
2 itemized list of non-state cash and in-kind contributions received, total expenditures and an
3 assessment of the program to date.

4 (v) The fifth \$150.0 shall be used to provide customized information technology training to
5 small and medium-sized businesses through grants made by Delaware Technical and
6 Community College I. T. Learning Center.

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

8 Section 90. The Delaware Economic Development Office, Economic Development Authority
9 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce
10 Development Grant. Funding for this grant shall be maintained at current levels.

11 Section 91. Section 1 of this Act includes a General Fund appropriation for Contractual Services
12 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual
13 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140th General
14 Assembly through the fiscal year ending June 30, 2006.

15 Section 92. Section 1 of this Act appropriates \$2,100.5 ASF to the Delaware Tourism Office. Of
16 this amount, \$637.9 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable
17 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September
18 30 of each fiscal year or as otherwise approved by the Director of the Office of Management and Budget
19 and the Controller General.

20 Section 93. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
21 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a
22 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.
23 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related
24 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory
25 Board shall develop rules and regulations for the application and award of the grants and matching grants.
26 The Delaware Tourism Office shall provide the Controller General and Director of the Office of
27 Management and Budget with a report by April 1, 2006, detailing the usage of the funds herein
28 authorized. Said report shall also contain an assessment of the economic impact of the grants programs

1 and effectiveness of extending visitors stays. If subsequent to the enactment of this Act, Public
2 Accommodations revenue should prove greater than the budgeted amount of Fiscal Year 2006, the first
3 \$50.0 ASF shall be used to restore full funding for the Matching Grants and Grant appropriation to \$250.0
4 ASF. In this event, the Matching Grant portion of the distribution shall be \$200.0 ASF and the Grant
5 portion shall be \$50.0 ASF.

6 Section 94. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism
7 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as
8 contained in Section 1 at any time during Fiscal Year 2006, the Director of the Office of Management and
9 Budget and Controller General are hereby authorized to transfer sufficient funding from any other source
10 to Tourism's Personnel Cost line.

11 Section 95. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-
12 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the
13 Kalmar Nyckel. During the period beginning July 1, 2005, and ending on June 30, 2006, the State of
14 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be
15 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or
16 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety
17 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall
18 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on
19 behalf of the State of Delaware and the Riverfront Development Corporation.

20 Section 96. The Delaware Economic Development Office shall provide a bi-annual update to the
21 Director of the Office of Management and Budget, Controller General and the Co-Chairs of the Joint
22 Finance Committee regarding the implementation of the industry/cluster based organization. The bi-
23 annual report, due no later than December 1st and May 15th of each year, shall include a status report on
24 the implementation of the industry clusters, progress of the overall refocusing effort and any proposed
25 changes in implementation of said clusters.

26 Section 97. Employees of the Delaware Economic Development Office shall be eligible for the
27 full general salary increase irrespective of their position within their assigned pay grade as part of the
28 reorganization to a cluster based organizational structure.

1 Section 98. Section 1 of this Act appropriates \$250.0 to the Delaware Health Care Commission
2 (10-05-00) for the Uninsured Action Plan. It is the intent of the Administration and the General
3 Assembly that these funds shall be used for the continuation of the services provided under the plan after
4 all other available funds for this purpose have been exhausted. The Commission shall submit a report to
5 the Director of the Office of Management and Budget and the Controller General no later than August 1,
6 2005 detailing the plan for the expenditure of these funds.

7 Section 99. (a) Section 1 of this Act appropriates \$248.0 to the Delaware Institute of Dental
8 Education and Research (DIDER) (10-05-03). In accordance with 14 Del. C. c. 88, the appropriation
9 shall provide for three dental internships and sufficient funds to contract with the Delaware Psychiatric
10 Center to continue the Dental Internship Program. This program also will serve clients in the Community
11 Mental Retardation Program.

12 (b) Of the allocation identified above, \$100.0 is to be used to recruit and retain dentists and other
13 practitioners eligible under the loan repayment program.

14 Section 100. Section 1 of this Act appropriates \$2,080.0 to the Delaware Institute of Medical
15 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

16 Jefferson Medical College	\$1,000.0
17 Philadelphia School of Osteopathic Medicine	250.0
18 University of Delaware	50.0
19 Christiana Care Health System	200.0
20 Scholarships/Loans	480.0
21 Loan Repayment	<u>100.0</u>
22 Total	\$2,080.0

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

25 Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial
26 assistance for students attending the Jefferson Medical College and \$80.0 is to be used for students
27 attending Philadelphia College of Osteopathic Medicine. Any loan or scholarship program developed by
28 the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware

1 Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing
2 either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a
3 continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be used to
4 recruit physicians or other practitioners eligible under the loan repayment program and to recruit and
5 retain practitioners in underserved areas of Delaware. Recruitment tools include, but are not limited to,
6 loan repayment programs. Scholarships, loans and loan repayment programs will be approved by the
7 Delaware Health Care Commission, the Director of the Office of Management and Budget and the
8 Controller General.

9 Section 101. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in
10 Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director
11 of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be
12 excluded from classified service as defined under 29 Del. C. § 5903.

13 Section 102. Section 1 of this Act includes non-appropriated special fund positions funded
14 through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State
15 Clearinghouse Committee may, during the fiscal year, approve additional non-appropriated special fund
16 positions supported by Criminal Justice Council administered grants. By virtue of said positions being
17 included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not
18 guarantee future state funding upon expiration of federal grants supporting the positions. Any requests
19 for state funding for said positions shall be prioritized by the affected department in its budget request for
20 Fiscal Year 2007.

21 Section 103. Section 1 of this Act appropriates \$47.5 in Personnel Costs and 1.0 FTE Senior
22 Criminal Justice Planner to the Criminal Justice Council (10-07-01). This position shall work for the
23 Domestic Violence Coordinating Council in Kent and Sussex Counties.

24 Section 104. In order to ensure that allocated resources are utilized efficiently and are compliant
25 with generally accepted accounting rules, the Delaware Justice Information System (10-07-02) shall
26 submit a quarterly report to the Director of the Office of Management and Budget and the Controller
27 General detailing the purposes for which any and all funds appropriated from federal, state, or other
28 sources were expended.

1 Section 105. Section 1 of this Act provides funding of \$10.0 to DELJIS (10-07-02) for
2 programming costs related to Senate Bill 52 of the 143rd General Assembly. If Senate Bill 52 or similar
3 legislation is not enacted, this appropriation shall revert to the General Fund.

4 Section 106. There is hereby established the Delaware Sentencing Research and Evaluation
5 Committee. The Committee shall be a permanent committee, and shall consist of the incumbent members
6 of the SENTAC Research Committee. The Office of Management and Budget and the Controller General
7 shall be notified of Committee meetings and a representative of each invited to attend and participate in
8 all such meetings. The immediate past Chair of the Sentencing Accountability Commission (SENTAC),
9 Honorable Richard S. Gebelein, will serve as Committee liaison to SENTAC, and will present all findings
10 and reports to SENTAC in a timely fashion for their review and comment.

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

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

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

TECHNOLOGY AND INFORMATION

1
2 Section 107. The Chief Information Officer shall not make any changes to the department's
3 compensation plan regarding any aspect of employee compensation without the approval of the Director
4 of the Office of Management and Budget and Controller General. Further, sufficient funding within the
5 department must be available for any change to be approved.

6 Section 108. The state government of Delaware, recognizing the inherent value in implementing
7 common standards, has chosen Windows 2000 as its statewide network platform and messaging system.
8 In an effort to establish a single, common electronic messaging platform throughout the State, no state
9 agency/department shall migrate, change or switch to an alternative messaging platform without the
10 express written consent of the Chief Information Officer, Director of the Office of Management and
11 Budget and Controller General. Any agency seeking exemption from this requirement must submit a
12 request to the Chief Information Officer clearly stating the reasons why migrating to an alternative
13 platform is necessary and/or desirable.

14 Section 109. The Department of Technology and Information shall publish the statewide
15 telephone directory during Fiscal Year 2006. State agencies shall provide annual updates to the
16 department by the date specified by the department.

17 Section 110. The Department of Technology and Information (11-00-00) shall receive a lump
18 sum appropriation calculated as a fixed percentage of all salaries as appropriated to the Department in
19 Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in
20 Section 8 of this Act and Personnel Costs lines less non-salary-driven Other Employment Costs
21 components. Overtime and casual/seasonal components of the Personnel Costs lines shall not be part of
22 the calculation. The resultant lump sum amount may be distributed to employees as determined by the
23 Chief Information Officer. However, in no case shall individually awarded increases exceed ten percent
24 of an individual's base salary, nor shall the aggregate amount awarded exceed the product of the
25 calculation as described above. Further, in no case shall individually awarded amounts be given
26 retroactively.

27 Section 111. Notwithstanding any other provision of the Delaware Code or this Act to the
28 contrary, the bid evaluation, contract award and execution procedure related to the FCC-mandated 800

1 MHz Band Reconfiguration Report and Order (August 6, 2004) shall allow for a maximum of 90 days
2 between contract award and execution. This limit shall apply to any state contract with an emergency
3 communications system provider to provide materials, services, and public works related to the
4 reconfiguration project.

OTHER ELECTIVE

1
2 Section 112. 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 113. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient
5 state-match funding for federally-mandated audit services. If, during the first three months of any fiscal
6 year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit
7 responsibilities, the Director of the Office of Management and Budget, upon the request of the State
8 Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

9 Section 114. Upon vacancy, the position of Director of the Department of Insurance, Fraud
10 Prevention Bureau (12-03-01) will become exempt from the classified service.

11 Section 115. Section 1 of this Act contains ASF position authorizations and associated
12 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-
13 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of
14 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

15 Section 116. Amend 18 Del. C. §305 (e) by deleting the year “2003” as it appears therein and
16 substituting in lieu thereof the year “2005”, and by deleting the number “\$700,000” as it appears therein
17 and substituting in lieu thereof the number “\$1,400,000”.

18 Section 117. Section 1 of this Act provides an ASF appropriation of \$3,247.9 to the State
19 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,
20 for the purpose of providing staff support and operational expenses, including payment of fees for
21 banking services. The \$3,247.9 in interest income on bank deposits shall be coded as special fund
22 revenue to provide funds for operation of the Cash Management Policy Board.

23 Section 118. Section 1 of this Act establishes a special fund appropriation entitled Electronic
24 Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support
25 the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be
26 coordinated with and approved by the Chief Information Officer of the Department of Technology and
27 Information and the Secretary of Finance.

1 Section 119. The State Treasurer’s Office shall develop a rate for the purpose of recovering costs
2 associated with the state’s acceptance of funds through the use of credit, debit and purchasing cards. Cost
3 recoverable activities shall include online transactions as well as traditional card transactions. The initial
4 rate and periodic necessary adjustments to the rate shall be approved by the Office of Management and
5 Budget. The Treasurer’s Office may initiate an automated revenue reduction process, equal to the
6 approved rate, for all cash receipts received by the aforementioned methods. The Treasurer’s Office shall
7 provide the agency with a statement of total revenue or payment, less transaction costs and net revenue.
8 In lieu of an automated revenue reduction process the Treasurer’s Office may invoice a state agency for
9 necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of
10 Merchant Services fees.

11 Section 120. The State Treasurer’s Office, with the assistance of the Department of Technology
12 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and
13 approve the payment component of all new web-based technology initiatives involving the electronic
14 remittance of funds to the state. Specifically, those projects promoting the use of online credit card
15 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of
16 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that
17 already use online credit card payment, online debit card payment, Automated Clearing House payment,
18 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this
19 requirement unless and until such time as their current electronic payment component must undergo any
20 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility
21 of implementing the state’s designated payment component. A standard evaluation form will be designed
22 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and
23 the Government Information Center, where appropriate, and approved by the Office of Management and
24 Budget.

25 Section 121. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the
26 Department of Technology and Information, may approve pilot projects for the purpose of electronically
27 transmitting remittance advices to those employees or contractors receiving payments via direct deposit
28 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their

1 request and documentation of cost savings in accordance with the guidelines established by the Office of
2 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll
3 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time
4 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer
5 and the Director of the Office of Management and Budget.

LEGAL

1
2 Section 122. Section 1 of this Act authorizes an appropriation for Contractual Services for the
3 Office of Attorney General (15-01-01). Of this amount, \$461.4 shall be used for the purpose of providing
4 services covering family violence in New Castle County, and \$574.0 shall be used for the purpose of
5 providing services covering family violence in Kent and Sussex counties.

6 Section 123. 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 the Office
26 of Management and Budget and other related personnel issues and is not intended to supplant existing
27 Deputy Attorney General assignments in this area;

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

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

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

8 (l) 1.0 ASF FTE Deputy Attorney General shall be assigned to provide legal representation to
9 the boards and commissions under the Department of State, Regulation and Licensing, Professional
10 Regulation. A second split-funded (.5 GF and .5 ASF) Deputy Attorney General shall be assigned to
11 provide additional contract review, general legal services and legal counsel as needed for the Department
12 of State, 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 124. The Department of Justice, in conjunction with the Controller General's Office and
22 the Office of Management and Budget, shall review agency assignments as outlined in Section 123 of this
23 Act and determine a fair and efficient approach to reducing assignment oversight. A recommendation
24 shall be made to the Joint Finance Committee by January 15, 2006.

25 Section 125. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0
26 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General (15-01-01)
27 to support the Child Support Enforcement function. The Child Support Enforcement function in the
28 Attorney General's Office will operate on a reimbursement basis, wherein the State makes the initial

1 expenditures and is reimbursed from federal funds controlled by the Department of Health and Social
2 Services. The reimbursement rate for operations will be 66 percent of total direct costs; the
3 reimbursement rate for indirect costs will be 32 percent of federal dollars spent on direct salary costs.

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

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

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

18 Section 126. Section 1 of this Act makes an appropriation to Contingency—Attorney Pay Plan in
19 the Office of Management and Budget, Contingencies and One-Time Items (10-02-11). This
20 appropriation is for the purpose of funding the salary matrices of the Office of the Attorney General (15-
21 01-01) and the Office of the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the
22 Office of the Attorney General, and \$65.0 is allocated for the Office of the Public Defender. Upon
23 requesting contingency funds, each agency must submit for approval by the Director of the Office of
24 Management and Budget and Controller General a report of personnel activity relating to salary plan
25 movements with a description of the need to use said funds. Total personnel expenditures by these
26 agencies may not exceed total personnel appropriations.

27 Section 127. Section 1 of this Act includes \$34.9 ASF in Personnel Costs and 1.0 ASF FTE
28 Administrative Specialist II (BP #8131) in the Office of the Attorney General (15-01-01). In order to

1 provide funding for this position, the Department of Natural Resources and Environmental Control (40-
2 00-00) shall allocate monies to the Office of the Attorney General by July 15 of each fiscal year.

3 Section 128. Section 1 of this Act appropriates \$95.8 and 4.0 FTEs to the Office of the Attorney
4 General (15-01-00) for positions funded by the expiration of the Victims of Crime Act and Edward Byrne
5 Memorial Grants. Upon the expiration of the grants, the existing 4.0 Non-appropriated Special Fund
6 positions will be converted to General Fund positions.

1 **STATE**

2 Section 129. 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 130. Section 1 of this Act appropriates contractual services to Office of Disability Affairs
7 (20-01-07). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

8 Section 131. Section 1 of this Act provides an appropriation of \$140.6 and \$551.7 ASF for the
9 Government Information Center (20-01-06). Amend 29 Del. C. c. 87 by inserting a new §8707 as
10 follows:

11 “§8707. Delaware Government Information Center.

12 (a) The Government Information Center shall have the following functions and duties:

13 To publish, maintain and continuously update content on the State of Delaware’s Internet portal
14 to facilitate convenient and comprehensive access to government information;

15 To provide convenient access to a complete collection of on-line information and
16 resources published by state government and a comprehensive and current collection of on-line
17 information and resources published by local, state and federal agencies of interest to the public;

18 To provide information and resource materials related to Internet content management
19 and on-line publishing services to state agencies, state and local governmental units and their subdivisions
20 and, at the Department's discretion, to not-for-profit and other organizations to ensure every Delaware
21 citizen easy access to on-line government information;

22 To promote increased usage of Delaware’s diverse collection of on-line resources and
23 encourage community input in identifying and assessing areas for improvement;

24 To recommend statewide web publishing standards and projects consistent with
25 information technology standards articulated by the Department of Technology and Information;

26 To promote adherence to statewide standards that improve citizen access to information
27 and to institute and maintain a training and information program on Internet publishing and content

1 management to bring approved and current practices, methods, procedures and devices for the efficient
2 and economical management of Internet content to the attention of all agencies and political subdivisions;

3 To coordinate efforts to ensure that content on State websites is readily accessible to
4 individuals with disabilities;

5 To receive, accept, administer and expend any money, materials or other aid granted,
6 appropriated or otherwise provided by local, state or federal governments, or by any source, public or
7 private, in accordance with the terms thereof, and for the purposes provided hereinafter;

8 To recommend legislation in concert with affected state agencies to ensure that citizens
9 achieve convenient and meaningful access to statewide Internet content;

10 To enter into contracts or agreements to provide or to obtain services and materials;
11 provided that such contracts or agreements relating to information technology will follow the business
12 policies and procedures established by the Department of Technology and Information; and,

13 To perform all other activities pertinent to the organizational function of the Government
14 Information Center.

15 (b) In lieu of the requirements of Section 8731(b) of this Chapter, state agencies that publish on-
16 line copies of publications, reports, forms and other materials may provide the Department with electronic
17 addresses to access such materials for the purpose of making accessible to Delaware and other citizens
18 resource materials published electronically at the expense of the State. The Administrator of the
19 Government Information Center shall disseminate policies and procedures for providing such access and
20 shall publish a comprehensive online directory of all government forms, publications and other such
21 information available to the public through the State's websites".

22 Section 132. Section 1 of this Act appropriates \$35.0 in the line item Historical Marker
23 Maintenance/Replacement to the Department of State, Delaware Public Archives (20-03-01). Of this
24 amount, \$25.0 shall be used for replacement, repair and refurbishing of historical markers.

25 Section 133. Section 1 of this Act provides an appropriation to the Department of State, Office of
26 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that
27 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

1 Section 134. (a) Section 1 of this Act establishes a special fund appropriation entitled
2 Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a
3 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-
4 1105(b)(1), and 12 Del. C § 3813(b)(1) will be deposited into this fund to be used for technological and
5 infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, electronic
6 government information projects, and library initiatives. Quarterly reports regarding the status of this
7 fund shall be made by the Department of State to the Director of the Office of Management and Budget
8 and the Controller General.

9 (b) Of the amount appropriated in Section 1 of this Act, up to \$300.0 may be allocated for
10 matching grants pursuant to the Delaware Public Library Technology Assistance Act (Title 29, Chapter
11 66B) for the purposes of implementing a 3-year replacement cycle for public access hardware and
12 software in Delaware’s public libraries. An additional \$100.0 may be provided to the Division of
13 Libraries for other library technology initiatives.

14 (c) Section 1 of this Act contains a Special Fund authorization for contractual services in the
15 Division of Corporations (20-05-01). Of this amount, \$300.0 may be transferred to a captive insurance
16 regulatory and supervision fund upon its creation in the Insurance Commissioner’s Office. If legislation
17 creating such a fund is not enacted by the 143rd General Assembly, such appropriations shall revert to the
18 General Fund pursuant to the provisions of 29 De. C.§ 2311 (e).

19 Section 135. Section 1 of this Act provides an appropriation to the Department of State, Office of
20 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the
21 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

22 Section 136. Section 1 of this Act includes an appropriation to the Department of State, Division
23 of Archives (20-03-01) for Historical Marker Maintenance/Replacement. Of that amount \$10.0 shall be
24 used toward the replacement of 11 markers that are missing in the Newark area due to highway
25 construction and other circumstances.

26 Section 137. The Delaware Heritage Commission shall investigate which out of print books and
27 writings on Delaware history should be considered for republication. Further, the Delaware Heritage
28 Commission shall investigate what writings in these categories would be valuable for republication. A

1 report shall be made to the Controller General and Director of the Office of Management and Budget by
2 December 1 of each fiscal year.

3 Section 138. Section 1 of this Act includes an appropriation to the Department of State, Division
4 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation
5 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art
6 for placement in state museums.

7 Section 139. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State
8 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits
9 and art objects in Legislative Hall.

10 Section 140. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the
11 Office of the State Banking Commissioner is authorized to retain \$150.0 of the Bank Franchise Tax for
12 costs associated with the collection and administration of the Bank Franchise Tax. Further, should
13 legislation be enacted relating to the regulation of credit counseling and debt management companies, an
14 additional amount of \$80.0 shall be retained by the Office of the State Banking Commissioner from the
15 Bank Franchise Tax to fund 2.0 ASF additional positions authorized in Section 1 of this Act. Also, an
16 additional \$75.0 of the Bank Franchise Tax shall be used for costs associated with a study of foreclosures
17 and consumer protection in Delaware.

18 Section 141. The Heritage Commission is authorized to expend \$10.0 from the Delaware
19 Heritage Foundation fund originally appropriated in FY 2003 for the Cooch's Bridge Celebration for the
20 reprinting of "out of print" books.

21 Section 142. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount
22 of \$3,869.5 for Library Standards. Of that amount, Libraries may reserve up to \$387.0 for planning and
23 evaluation grants to determine each library's attainment of state and federal library standards. The
24 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount
25 allocated to that library, one installment upon signature of the contract and the second installment in
26 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if
27 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an
28 account for the benefit of the library from which the unspent funds came. These funds may be spent in

1 subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be
2 used as part of any subsequent years' formula payment.

3 Section 143. Section 1 of this Act provides a special fund appropriation entitled “Technology
4 Infrastructure Fund”, in the Division of Corporations (20-05-01) in the amount of \$5,225.0. Of this
5 amount, \$50.0 shall be used to continue expansion of the UdLib/SEARCH project to the State’s public
6 elementary schools.

FINANCE

1
2 Section 144. 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 (including the hiring of seasonal employees) to the implementation and
5 maintenance of computer systems at the Office of the Secretary or Revenue (25-06-01). Deposits to the
6 special funds shall be from the collection of delinquent taxes and shall not exceed \$1,845.0. Of this
7 amount, \$600.0 shall be used for the purpose of maintaining Revenue's mainframe computer system and
8 the programs that reside thereon, the provisions of 29 Del. C. subchapter IV or 29 Del. C. c. 63
9 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system maintenance with the
10 Department of Technology and Information.

11 Section 145. Amend 29 Del. C. § 6102 by adding subsection (u), as follows, to the end thereof.
12 “All debt service payments collected by the State from local school districts with respect to the school
13 districts' obligations issued to the State pursuant to 29 Del. C. §7506, for the local share of school district
14 capital projects shall be deposited in a special fund account to be known as the “School District Local
15 Share Special Account.” The amounts are to be deposited in said account to pay the debt service payable
16 by the State with respect to general obligation bonds issued by the State. Such amounts provide financing
17 for the local share of said capital projects. The holders of the general obligation bonds which are paid, in
18 whole or in part, from the special account created pursuant to this subsection shall continue to have all the
19 rights and remedies to which they are entitled under Section 10, Article VIII of the State's Constitution
20 and under 29 Del. C. c. 74.

21 Should the amount in said special fund account prove insufficient relative to the debt service
22 obligations at any time during the fiscal year, the State Treasurer is hereby authorized to pay the
23 obligation from any debt service account. Any interfund transaction so required shall be reversed when
24 funding becomes available. Any funds remaining in the special fund account on June 30 of any fiscal
25 year shall be deposited into the general fund.

26 Section 146. Revenue (25-06-01) is authorized to establish and maintain a special fund with the
27 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent
28 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may

1 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;
2 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit
3 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the
4 collection of delinquent taxes. A detailed report on all expenditures from and collections to this special
5 fund shall be sent annually to the Director of the Office of Management and Budget and the Controller
6 General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

7 Section 147. The Director of Revenue shall have the authority to accept, on whatever terms and
8 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue
9 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit
10 card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the
11 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of
12 taxes by credit cards.

13 Section 148. The Director of Revenue shall have the authority to enter into agreements according
14 to which contingency and other fees are provided to finders of property to be escheated to the State or to
15 other persons identifying abandoned property by means of audit or otherwise. When the Director deems
16 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of
17 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid
18 agreements. The Director may direct that payment for said fees or other costs incident to escheat of
19 property under the aforesaid agreements, including litigation expenses incident to escheat administration,
20 be made out of such money held in the escrow, custodian or other account established under this
21 paragraph. Section 1 of this Act establishes an Appropriated Special Fund account, Escheat, from which
22 charges relating to receiving and processing remittances and reports by holders, and claims by owners of
23 abandoned property, as well as advertising and travel fees and associated costs may be paid and into
24 which abandoned property remittances may, at the discretion of the Director, be deposited.
25 Unencumbered balances on June 30 in excess of \$150.0 shall revert to the General Fund. A semi-annual
26 report of amounts in escrow or in custodian accounts shall be furnished to the Director of the Office of
27 Management and Budget and the Controller General.

1 Section 149. (a) In the event that the State Lottery's amount of Contractual Services shall exceed
2 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund
3 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
4 the Director of the Office of Management and Budget, provided that the total operating budget for this
5 fiscal year shall not exceed 20 percent of gross sales as limited by 29 Del. C. § 4815(a).

6 (b) In the event that the State Lottery's amount of Contractual Services shall exceed the amount
7 in Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds
8 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and
9 the Director of the Office of Management and Budget, subject to the limitations outlined in 29 Del. C. §
10 4815(b).

11 Section 150. There shall be established a special fund for the purpose of receiving the proceeds
12 of liquidating stock acquired pursuant to 12 Del. C. c. 11 or liquidating investments described in this
13 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in
14 issues of the United States Treasury or investments of comparable risk. The Secretary may at his
15 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

16 Section 151. Pursuant to 29 Del. C. § 4815(b)(2), funds from the State Lottery Fund shall be
17 released to an appropriately established account within the Department of Health and Social Services,
18 Substance Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the amount
19 of which shall be based on the results of video lottery operations conducted during the immediately
20 preceding month.

21 Section 152. Pursuant to 29 Del. C. § 4805(b)(4), the State Lottery Office (25-07-01) is
22 authorized to enter into an agreement with other state lotteries for participation in multi-jurisdictional,
23 wide-area, progressive video lottery games. The State Lottery Office is authorized to contract with these
24 other state lotteries for the procurement of services for implementation of multi-jurisdictional, wide-area,
25 progressive video lottery games, and the provisions of 29 Del. C. c. 69 shall not apply.

26 Section 153. Notwithstanding any other provisions of 29 Del. C. c. 48 to the contrary, video
27 lottery agents shall be required to reimburse the State Lottery Office (25-07-01) for the equipment costs

1 and related fees associated with the installation of the ticket-in, ticket-out system for the video lottery
2 machines.

3 Section 154. Amend 29 Del. C. §4803(i) by deleting the phrase “and immediately” from the first
4 sentence in the existing subsection.

5 Section 155. The Director of Revenue shall have the discretion to waive the fee due to the
6 Division of Revenue for collecting debts of a claimant agency under 30 Del. C. §545, where the claimant
7 agency is the Department of Health and Social Services but only where the debt collected is for child
8 support owed by the taxpayer or lottery winner.

9 Section 156. Amend Del Code, Title 29, Section 8302 (c) by inserting the phrase “the Deputy
10 Secretary of Finance or” after the word appoint in the first sentence. Further amend Del Code, Title 29,
11 Section 8302 (c) by inserting the phrase “the Deputy Secretary of Finance or” after the word appoint in
12 the second sentence.

13 Section 157. Amend 29 Del. C. §6911 (a) by inserting the phrase “except for lodging and
14 interstate and international travel and” between the words “agencies” and “except” in the first sentence.
15 Further amend 29 Del. C. §6923 (a) by inserting the phrase “except for lodging and interstate and
16 international travel and” between the words “contract” and “for” in the first sentence.

HEALTH AND SOCIAL SERVICES

Section 158. 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 159. 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 160. (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.

1 Section 161. Notwithstanding any other provisions of the Delaware Code, the merit position
2 Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as
3 the current incumbent vacates such position.

4 When this position becomes vacant, the Director of the Office of Management and Budget shall
5 take the appropriate steps to carry out the provisions of this section.

6 Section 162. (a) The amount appropriated by Section 1 of this Act to the Department of Health
7 and Social Services for Title XIX Federal Programs Medicaid shall be expended solely in accordance
8 with the following conditions and limitations:

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

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

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

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

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

1 Section 163. 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 164. 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 165. 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 166. Section 1 of this Act makes an appropriation for Contingencies and One-Times
18 Items (10-02-11). Of that appropriation, \$25.0 is appropriated to the Division of Public Health (35-05-
19 10) to fund a data collection study on the cost of teen pregnancy.

20 Section 167. Section 1 of this Act provides an appropriation of \$40.0 to the Department of
21 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to
22 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as
23 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or
24 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public
25 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or
26 ambulance company on a form provided by Public Health, indicating that the person for whom the
27 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company
28 in the State of Delaware. A record of the names and addresses of all persons immunized shall be

1 maintained by Public Health. To insure the success of this program, Public Health and representatives of
2 the Delaware Volunteer Firemen's Association shall work collaboratively in the best interests of all
3 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of
4 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the
5 needs of the volunteer community have been met, similar assistance may be offered to other fire and
6 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this
7 fund, may also be spent to provide any required post vaccination antibody testing in order to assure
8 adequate protection has been achieved.

9 Section 168. Section 1 of this Act provides an appropriation of \$1,000.0 ASF to the Department
10 of Health and Social Services, Division of Substance Abuse and Mental Health, Community Mental
11 Health (35-06-20). The Division of Substance Abuse and Mental Health expects to generate additional
12 retroactive revenue as a result of TEFRA rebasing of Medicare payment rates at Delaware Psychiatric
13 Center. These funds shall be used to fund the rebasing project and to purchase medications for
14 Community Mental Health.

15 Section 169. Section 1 of this Act provides an appropriation for the Department of Health and
16 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary
17 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not
18 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

19 Section 170. The State desires to establish a permanent funding program for rodent control
20 activities at the local level by providing the City of Wilmington \$15.0 New Castle County \$15.0; Kent
21 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,
22 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to
23 be made no later than September 1, 2006; establish program objectives and spending guidelines; require
24 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into
25 the next fiscal year.

26 Section 171. Public Health, Community Health (35-05-20) will receive a portion of the Federal
27 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The
28 division shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled

1 School Based Health Centers to support the cost of this initiative. Up to \$500.0 of the remaining revenue
2 will be deposited into an ASF account in Medicaid and Medical Assistance (35-02-01) and used for
3 expenses associated with the normal operations of the Medicaid program. This amount may be increased
4 subject to approval from the Director of the Office of Management and Budget and Controller General.

5 Section 172. Section 1 of this Act appropriates \$881.8 in Supplies and Materials to the
6 Department of Health and Social Services, Division of Public Health, Community Health (35-05-20), of
7 that appropriation \$10.0 is to be used to purchase chemical reference materials for the Office of
8 Environmental Health Evaluation.

9 Section 173. Section 1 of this Act provides funding for the Department of Health and Social
10 Services, Division of Public Health, Community Health, Office of Drinking Water (35-05-20) to
11 administer the Drinking Water State Revolving Fund (DWSRF). This Fund consists of funding from the
12 State 21st Century Fund and United States Environmental Protection Agency and includes appropriations
13 for technical assistance and water operator training for drinking water systems in the State. The
14 Environmental Training Center at the Delaware Technical and Community College and the Delaware
15 Rural Water Association are the sole providers of water operator training and drinking water system
16 technical assistance in Delaware therefore available funding through the DWSRF for training and
17 technical assistance shall be distributed appropriately to these agencies.

18 Section 174. Section 1 of this Act appropriates funds to the Division of Public Health,
19 Community Health (35-05-20), Division of Medicaid and Medical Assistance (35-02-01) and to the
20 Administrative Office of the Courts, Non-Judicial Services, Child Death, Near Death and Stillbirth
21 Commission (02-18-06) for infant mortality. More specifically, the funds are to implement
22 recommendations of the Infant Mortality Task Force. Included are \$549.3 in Infant Mortality Task Force
23 in (35-02-01), \$156.8 and 3.0 FTEs in Personnel Costs and \$130.0 in Infant Mortality Task Force in (35-
24 05-20) and \$163.9 in Infant Mortality Task Force in (02-18-06). The Department of Health and Social
25 Service shall submit an update on the spending plan for these funds to the Director of the Office of
26 Management and Budget and Controller General for approval no later than November 1, 2005.

27 Section 175. Section 1 of this Act includes a transfer from Public Health (35-05-20) to
28 Professional Regulation (20-04-01) for the pharmacy regulations portion of the Division of Public

1 Health's Office of Narcotics and Dangerous Drugs, in accordance with the recommendations of the Joint
2 Sunset Committee. Included in this transfer are 3.0 FTEs (BP #2632 – Administrative Specialist III, BP
3 #3029 – Drug Control Administrator, BP #4051 – Pharmacist Administrator), \$247.0 in Personnel Costs,
4 \$0.5 in Supplies and Materials, and \$8.0 in Contractual Services. This transfer will bring all regulatory
5 oversight for pharmacies under the same agency and improve efficiencies in operation.

6 Section 176. Section 1 of this Act makes an appropriation to the Department of Health and Social
7 Services, Division of Public Health (35-05-30) for Automatic External Defibrillators (AED). It is the
8 intent of the General Assembly that the Office of Emergency Medical Services develop a plan to address
9 the backlog of AED requests and training issues. This plan shall be submitted to the Controller General,
10 the Director of OMB and the members of the Health Fund Advisory Committee by October 1, 2005.

11 Section 177. Section 1 of this Act makes an appropriation to the Department of Health and Social
12 Services, Division of Public Health (35-05-30) for Contractual Services. Of that amount, \$10.0 shall be
13 used to support the Delaware Organ and Tissue Awareness Program.

14 Section 178. Section 1 of this Act makes an appropriation to the Department of Health and Social
15 Services, Division of Public Health (35-05-20) for Contractual Services. Of that amount, \$50.0 is
16 appropriated to the Gift of Life Program to promote organ and tissue donation in the State of Delaware.

17 Section 179. Section 1 of this Act provides an appropriation to the Department of Health and
18 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for
19 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable
20 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

25 Section 180. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to
26 receive reimbursement for providing a work study program for local nursing schools and for assigning
27 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

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

3 Section 181. Section 1 of this Act provides an appropriation of \$1,200.0 ASF to the Division of
4 Social Services (35-07-01) for TANF Child Support Pass Through. The Division shall be allowed to
5 collect and deposit funds into this account as a result of child support payments collected by the Division
6 of Child Support Enforcement on behalf of TANF clients. These funds will be used by the DSS to make
7 supplemental payments to clients who are eligible to retain a portion of their child support under State and
8 Federal TANF budgeting rules.

9 Section 182. Section 1 of this Act makes an appropriation to the Department of Health and Social
10 Services, Division of Social Services (35-07-01) for Contractual Services. Of that amount, \$130.0 is
11 appropriated to expand services in the Ministry of Caring House of Joseph II AIDS hospice.

12 Section 183. Section 1 of this Act makes appropriations to the Department of Health and Social
13 Services, Medicaid and Medical Assistance (35-02-01), for various programs that pay for health care. In
14 the Medicaid program, federal regulations mandate that drug companies must provide rebates in order to
15 participate in the program. Social Services shall establish a drug rebate process for any prescription
16 benefits provided to clients enrolled in the non-Medicaid programs administered by the division including
17 but not limited to: the Delaware Healthy Children program, the Renal Disease program, the Delaware
18 Prescription Assistance program and the Legal Non-Citizen Health Care program. The division shall
19 establish a rebate process that it determines is in the best interests of the citizens who are being served.
20 The rebate amount shall be calculated using the full methodology prescribed by the federal government
21 for the Medicaid program. In addition, the division is authorized to negotiate rebates with drug
22 companies for both Medicaid and other programs. Notwithstanding any provisions of the Delaware Code
23 to the contrary, the division shall deposit any drug rebate funds received as well as third party insurance
24 collections (minus retention amounts) and other collections into the appropriate Social Services program
25 account and use them to meet program costs.

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

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

4 The Director of the Office of Management and Budget and the Secretary of Health and Social
5 Services shall continue to analyze cost containment initiatives in the area of additional drug rebates for
6 prescription drugs. The Director of the Office of Management and Budget and the Secretary of Health
7 and Social Services shall confer with the Controller General and the co-chairs of the Joint Finance
8 Committee.

9 Section 184. The Department of Health and Social Services is authorized to contract for the
10 procurement of managed care services for the Delaware Medical Assistance Program. The provisions of
11 29 Del. C. c. 69 shall not apply to such contracts.

12 Section 185. Section 1 of this Act makes an appropriation to the Department of Health and Social
13 Services, Division of Social Services (35-07-01) for Child Care. Of that appropriation \$3,500.0 is
14 appropriated to address Child Care provider increases. This appropriation shall raise all providers to 63%
15 of the market rate based on the 2005 Market Rate Study. Providers above 63% and under 75% of the
16 market rate shall receive a \$1.00 per day increase.

17 Section 186. (a) Section 1 of this Act appropriates \$2,403.8 in Medicaid and Medical Assistance
18 (35-02-01) under Early Intervention for the Part C Birth to Three Program. The Interagency Resource
19 Management Committee (IRMC) shall consult and advise the lead agency in setting program eligibility
20 standards and shall have the authority to allocate such funds, and may advise on the use of other funds
21 specifically designated for this project. The IRMC shall also have the authority to maintain up to 37.5
22 FTEs and establish or contract for an additional 2.0 FTEs needed to provide appropriate services for
23 Children Birth to Three, selected through the early intervention process and to ensure coordination with the
24 Program for Children with Disabilities. In addition, the IRMC may recommend the transfer of General
25 Fund positions and/or General Fund dollars from the Department of Health and Social Services as
26 necessary to operate this program. The lead agency shall report to the Budget Director and the Controller
27 General on additional revenues that will be generated from Medicaid matching funds for reimbursable
28 appropriate services that will be deposited into the General Fund in Fiscal Year 2005.

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

9 Section 187. Section 1 of this Act makes an appropriation the Department of Health and Social
10 Services, Division of Medicaid and Medical Assistance(35-02-01) for the Early Intervention Program. Of
11 that amount, \$150.0 is appropriated to provide evaluation and direct services for children.

12 Section 188. Section 1 of this Act provides an appropriation to the Department of Health and
13 Social Services, Medicaid and Medical Assistance (35-02-01) for Renal Disease.

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

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

26 Section 189. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social
27 Services, Medicaid and Medical Assistance (35-02-01). These Medicaid Eligibility Specialist positions
28 will be funded through voluntary contributions from medical facilities and from federal matching funds.

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

5 Section 190. Section 1 of this Act provides an appropriation to the Department of Health and
6 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS
7 II system maintenance. Social Services shall have the authority to contract for positions needed to
8 provide system maintenance. The division shall also have the authority, with approval from the Director
9 of the Office of Management and Budget and Controller General, to transfer a portion of these funds to
10 Personnel Costs and establish up to 2.1 General Fund positions and 1.8 NSF positions in order to support
11 DCIS II system maintenance.

12 Section 191. The Department of Health and Social Services is authorized to contract with a
13 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,
14 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to
15 entering into any such contracts the department will obtain the approval of the Director of the Office of
16 Management and Budget.

17 Section 192. Section 1 of this Act appropriates \$2,325.9 in Personnel Costs and 40.4 FTEs to
18 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant
19 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may
20 be filled if the September 2005 educational unit count indicates the number of teachers required to meet
21 caseloads for visually impaired students is greater than the Fiscal Year 2006 complement of teachers.

22 Section 193. Section 1 of this Act provides an appropriation to the Department of Health and
23 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be
24 used to compensate correctional inmates for the purpose of producing Braille materials for visually
25 impaired school children.

26 Section 194. Section 1 of this Act provides an appropriation of \$1,868.2 ASF in the Department
27 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.
28 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The

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

3 Section 195. Amend 29 Del. C. §7907 by inserting a subsection (i) that reads “Members of the
4 Commission shall serve without compensation; however, they may be reimbursed for reasonable and
5 necessary expenses incident to their duties as members of the Council.”

6 Section 196. Section 1 of this Act provides an appropriation to the Department of Health and
7 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual
8 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

9 Section197. Section 1 of this Act appropriates funding to the Developmental Disabilities
10 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,
11 \$57.0 shall be used for the Mary Campbell Center.

12 Section198. Developmental Disabilities Services, Community Services (35-11-30) receives
13 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day
14 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and
15 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day
16 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community
17 residential and day program contracts currently funded out of the Purchase of Care and Purchase of
18 Community Services lines.

19 Section 199. (a) Developmental Disabilities Services (35-11-00) is encouraged, where
20 appropriate, to reallocate resources so as to maximize community-based residential placements for
21 persons with mental retardation. Such reallocation initiatives must be made within the total Division’s
22 appropriation limit with the approval of the Director of the Office of Management and Budget and the
23 Controller General. These reallocation initiatives shall not compromise the standard of care of the
24 remaining Stockley Center population.

25 (b) Section 1 of this Act provides an appropriation to Developmental Disabilities Services,
26 Community Services (35-11-30) for the Stockley Transition Plan. This reallocation is the result of the
27 authority found in subsection (a) to reallocate resources to maximize community-based residential

1 placements and shall be monitored to assure the most appropriate levels of care are provided both in the
2 community and at Stockley Center.

3 (c) Section 1 of this Act also provides an appropriation to Medicaid and Medical Assistance (35-
4 02-01), for the SSI Supplement and Medicaid. Of those amounts, \$30.3 and \$559.5, respectively, are the
5 result of a reallocation from Developmental Disabilities Services, Community Services (35-11-20) as part
6 of the Stockley Transition Plan and shall be used exclusively for the community placements of
7 Developmental Disabilities Services clients. This reallocation is also the result of the authority found in
8 subsection (a) to reallocate resources to maximize community-based residential placements and was
9 needed in order to maximize federal participation in such placements.

10 Section 200. Section 1 of this Act makes an appropriation to the Department of Health and Social
11 Services, Division of Developmental Disabilities (35-11-00) for Purchase of Care. Of that appropriation,
12 \$60.0 is appropriated to expand the number of individuals receiving respite care services at the Fiscal
13 Year 2005 contract levels.

14 Section 201. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of
15 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The
16 division shall be allowed to collect and deposit funds into this account as a result of revenue from
17 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and
18 tenant fees.

19 Section 202. State Service Centers, Family Support (35-12-10) maintains appropriation accounts
20 35-12-10-8000 and 35-12-10-8001 for the purposes of lending car seats to families who cannot afford to
21 buy them and to publish a Human Services Directory, respectively.

22 Section 203. (a) Section 1 of this Act for Department of Health and Social Services, State
23 Service Centers, Family Support (35-12-10) includes 2.0 FTE (#59625 and #3094) and \$80.9 Personnel
24 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the
25 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

26 (b) Section 1 of this Act includes funding for Contractual Services for Department of Health and
27 Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0 shall be used

1 for the Delaware Helpline. Available funds designated for the Delaware Helpline may be distributed
2 annually in a lump sum at the beginning of the contract year.

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

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

14 Section 206. Section 1 of this Act makes an appropriation to the Department of Health and Social
15 Services, Division of Services for Aging and Adults with Physical Disabilities (35-14-01) for Contractual
16 Services. Of that amount \$300.0 is appropriated for Medicaid Waiver Providers.

17 Section 207. Section 1 of this Act makes an appropriation to the Department of Health and Social
18 Services, Division of Services for Aging and Adults with Physical Disabilities (35-14-00) for Contractual
19 Services. Of that appropriation, \$67.6 is appropriated to expand the number of hours for respite care
20 services at the Fiscal Year 2005 contract levels.

21 Section 208. Section 1 of this Act makes an appropriation to the Department of Health and Social
22 Services, Division of Services for Aging and Adults with Physical Disabilities (35-14-00) for Contractual
23 Services. Of that appropriation, \$60.0 is appropriated to expand the number of families provided respite
24 care services through the Caregiver Program.

25 Section 209. 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 210. 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 Division of Disabilities Services, who served as contract foster care providers for
6 the Division of Developmental Disabilities Services shall be eligible to continue to serve as contractual
7 service providers during Fiscal Year 2006. The Director of the Division of Developmental Disabilities
8 Services shall ensure that foster care providers employed by the Department of Health and Social
9 Services are not monitored or reviewed by other Department employees who are more junior to them and
10 that contractual foster care providers do not serve on the Division's Placement Review Committee.

11 Section 211. (a) Section 1 of this Act creates a new Division of Medicaid and Medical
12 Assistance, (35-02-00), that will consolidate medical assistance services and administration.

13 (b) The Department of Health and Social Services shall have the ability to transfer necessary
14 funds and FTEs among internal units until June 30, 2006, with the approval of the Director of the Office
15 of Management and Budget, Controller General and co-chairs of the Joint Finance Committee.

16 Section 212. Section 1 of this Act makes an appropriation of \$230.5 to Department of Health and
17 Social Services, Division of Public Health, Community Services (35-05-20). This appropriation is
18 intended to fund the AIDS Needle Exchange Pilot Program as outlined by Senate Bill 60 of the 143rd
19 General Assembly. These funds shall revert to the General Fund of the State of Delaware on June 30,
20 2006, should Senate Bill 60 of the 143rd General Assembly or similar legislation not be enacted into law.

CHILDREN, YOUTH AND THEIR FAMILIES

Section 213. 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 214. 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 215. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903.

Section 216. 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 217. 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 218. 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 219. (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 Budget Director Director of the Office of Management and
17 Budget the status of the Stevenson House Facility in Milford. This report shall include, but not be limited
18 to, staffing vacancies, total budgetary expenditures vs. appropriations, overtime, casual/seasonal
19 expenditures, population statistics, facility condition and capacities, and incident reports.

20 Section 220. 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 221. 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 222. (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 223. 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 \$968.0 for
12 Pass Throughs. It includes:

13 Child Advocacy Center	\$647.7
14 People’s Place, Milford	\$ 87.0
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 224. 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.

CORRECTION

1
2 Section 225. Section 1 of this Act appropriates funding to the Department of Correction for
3 initiatives to improve recruitment and retention for Correctional Officers series positions as well as
4 workplace security throughout the department. Said initiatives shall include:

5 (a) \$1,600.0 to increase the Hazard Duty A-1 rate by \$600 annually to \$3,120 for Correctional
6 Officer series and Probation Officer series positions effective July 1, 2005.

7 (b) Authorization from the General Assembly for the Department of Correction to continue its
8 recruitment incentive pilot program initiated in Fiscal Year 2005. At the conclusion of the fiscal year, the
9 department shall submit a report to the Director of the Office of Management and Budget and Controller
10 General with regard to the effectiveness of the program on improving recruitment of Correctional Officer
11 series positions.

12 (c) \$1,522.5 to the Office of the Commissioner (38-01-01) for the Correctional Sustainability
13 Contingency. Said funds shall be utilized by the department to address recommendations contained in the
14 final Report of the Task Force on Security Issues at the Delaware Correctional Center, the National
15 Institute of Corrections Technical Assistance Report and other security/equipment issues that may arise
16 during the fiscal year. Funding may be utilized for, but not be limited to, annual equipment and security
17 needs of the department, automating manual record keeping systems to provide immediate and responsive
18 control over staffing and building security, and training of Correctional Officer series positions. Said
19 funds shall not be disbursed without prior written approval of the Director of the Office of Management
20 and Budget and Controller General.

21 Section 226. (a) Section 1 of this Act includes funding for relief positions in the Department of
22 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These
23 positions shall be used primarily for training relief. The Department of Correction shall provide a
24 quarterly report to the Director of the Office of Management and Budget and the Controller General
25 detailing the non-training relief assignments of the staff training relief officers.

26 (b) In addition to the positions authorized in Section 1 of this Act for the Department of
27 Correction, additional positions are authorized in Human Resources/Employee Development Center for
28 the purpose of training classes. During the training sessions, up to 100 positions will be made available to

1 accommodate the class being trained. Funding is authorized to seed the first-time use of 30 of these 100
2 positions. In order to utilize these positions after the first-time use, and to use the remaining 70 positions,
3 the department will use salary savings realized throughout the year.

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

10 Section 227. Section 1 of this Act makes an appropriation to the Department of Correction,
11 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of
12 inmate hospice care.

13 Section 228. The Department of Correction is authorized to contract for the procurement of
14 health care services to the Department's incarcerated population. The provisions of 29 Del. C. c. 69 shall
15 not apply to such contracts.

16 Section 229. Notwithstanding any provision in 29 Del. C. c. 69 or any other law to the contrary,
17 the Department of Correction may approve a subcontractor for the purchase and delivery of
18 pharmaceuticals pursuant to the Contract #2828 for correctional health services.

19 Section 230. Section 1 of this Act provides an appropriation for the Prison Arts Program funded
20 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this
21 appropriation is 1.0 FTE Correctional Arts Program Coordinator and Personnel Costs, and \$19.3 for
22 Operating Costs.

23 Section 231. Section 1 of this Act makes an appropriation to the Department of Correction,
24 Prisons, Bureau Chief - Prisons (38-04-01), Contractual Services. Of this amount, \$20.0 shall be used for
25 the purpose of collecting DNA samples.

26 Section 232. Section 1 of this Act provides an appropriation for Personnel Costs to the
27 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this
28 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to

1 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is
2 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

3 Section 233. Section 1 of this Act appropriates funds to Department of Correction, Prisons,
4 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a
5 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior
6 issues from a feminine psychological perspective. The Warden of the facility will submit an annual
7 report to the Joint Finance Committee, Director of the Office of Management and Budget, Controller
8 General and Commissioner of Correction by June 1 of each year, which will include but not be limited to
9 the mission of the organization, the statement of the problem, a synopsis of the program, the number of
10 participants, statistics relating to recidivism rates of those participating in the program and an annual
11 budget of the organization.

12 Section 234. (a) Section 1 of this Act makes an appropriation of \$4,369.9 to the Department of
13 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol
14 Treatment Services; and \$632.0 to the Department of Correction, Community Corrections, Bureau Chief -
15 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,
16 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,
17 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse
18 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are
19 intended to support drug and alcohol treatment programs provided by the department to individuals in its
20 custody or under its supervision. The administration of these contracts shall be the responsibility of the
21 Commissioner of Correction or his designee.

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

25 (c) The Commissioner of Correction and the Secretary of Health and Social Services, or their
26 designees, shall jointly participate in developing the appropriate requests for proposals (RFPs) for
27 contract services to provide drug and alcohol treatment. All selected contract providers shall report on a

1 regular basis to the Department of Correction on all follow-up regarding referrals and services provided to
2 the offender population.

3 Section 235. Section 1 of this Act provides an appropriation to Community Corrections,
4 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Director of the
5 Office of Management and Budget and the Controller General that details the expenditure of these funds
6 by SENTAC level (levels I, II and III) and the average personnel complement for each level. These
7 reports are due on December 31 and June 30.

8 Section 236. (a) The Department of Correction shall have the authority, upon the concurrence
9 and approval of the Director of the Office of Management and Budget and Controller General, to
10 establish up to 6.0 ASF FTEs. The positions shall be Correctional Officers who will supervise inmate
11 work crews assigned to the completion of projects requested by the Department of Transportation. Upon
12 approval, 2.0 ASF FTEs shall be assigned to the Department of Correction, Prisons, John L. Webb
13 Correctional Facility (38-04-02), 2.0 ASF FTEs in Department of Correction, Community Corrections,
14 Plummer Work Release Center (38-06-06) and 2.0 ASF FTEs in Department of Correction, Community
15 Corrections, Central Violation of Probation Center (38-06-10). The source of funding shall be the
16 Department of Transportation, Maintenance and Operations, Maintenance Districts (55-04-70).
17 Adjustments to Appropriated Special Fund spending authority for this program can be made upon the
18 concurrence and approval of the Director of the Office of Management and Budget and the Controller
19 General.

20 (b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the
21 following shall be used to continue the existing highway beautification projects: Community Corrections,
22 Kent County Work Release Center (38-06-08) – at least 3.0 positions, Community Corrections Central
23 Violation of Probation Center (38-06-10) – at least 4.0 positions, and Prisons, Sussex Violation of
24 Probation Center (38-06-09) – at least 3.0 positions.

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

1 Section 237. The Department of Correction, Administration, Office of the Commissioner (38-01-
2 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Director
3 of the Office of Management and Budget and Controller General. The report shall include the number of
4 overtime hours worked and the amount of overtime salary expended by each agency within the
5 Department, and shall include a breakdown of the reason for overtime.

6 Section 238. Prison education services shall be provided by utilizing existing teachers that are in
7 the Department of Correction as well as authorized teaching positions in the Department of Education.
8 The management of all educational positions shall be provided by the Department of Education.
9 Department of Correction teachers shall have the opportunity each year to notify both agencies of their
10 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each
11 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section
12 shall be permanent.

13 If a remaining Department of Correction teacher applies for and is accepted into an authorized
14 position in the Department of Education, the position and associated funding shall be transferred to the
15 Department of Education for the operation of prison education services. If a remaining Department of
16 Correction teacher position becomes otherwise vacant, the position and associated funding shall be
17 transferred to the Department of Education for the operation of prison education services.

18 Section 239. The Department of Correction, Community Corrections, House Arrest (38-06-04)
19 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department
20 shall determine the number of employees needed on duty throughout each 24-hour period and arrange
21 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50
22 percent during night time and weekend hours.

23 Section 240. The Merit Rules notwithstanding, Department of Correction employees
24 designated as Correctional Emergency Response Team (CERT) members, as well as the Chief of
25 Security and Inspections (BP #61023) in the Office of the Commissioner (38-01-01), shall be eligible
26 for standby pay regardless of their classification.

27 Section 241. For the upcoming fiscal year, the Videophones System Specialist in the Office of
28 the Public Defender (15-02-01) shall work with the Department of Correction under the direction of the

1 Deputy Principal Assistant to the Bureau Chief of Prisons to continue a pilot Distance Learning Program
2 for persons supervised in Level V facilities, employee development and telemedicine. The Department
3 shall submit an annual report on distance learning including pilot project recommendations to the Director
4 of the Office of Management and Budget and the Controller General.

5 Section 242. The Department of Correction is hereby authorized to review the current security
6 status classification of its facilities and submit a report, including but not limited to, any proposed security
7 level changes deemed necessary and appropriate to accommodate the needs of the Department. Such
8 report shall be submitted to the Director of the Office of Management and Budget and the Controller
9 General no later than January 1, 2006. No change shall be made to the security status of the facility
10 without the prior approval of the Director of the Office of Management and Budget and the Controller
11 General.

12 Section 243. It is the intent of the General Assembly that the New Castle County Women's Work
13 Release Center (38-06-11) be opened no later than October 1, 2005. If vacancies remain too high to meet
14 this goal, the Commissioner of Correction shall contact the Director of Management and Budget and the
15 Controller General to discuss the situation and feasible opening dates.

16 Section 244. Section 1 of this Act provides a one-time appropriation of \$153.3 for the purpose of
17 purchasing equipment related to House Bill 86 of the 143rd General Assembly. If House Bill 86 or similar
18 legislation is not enacted, this appropriation shall revert to the General Fund.

1 NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

2 Section 245. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to
3 spend up to \$4,067.0 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 246. 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 247. (a) Section 1 of this Act appropriates \$982.8 in General Funds and any revenues
14 collected in Appropriated Special Funds for a dog control contract in the Department of Natural
15 Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). The recipient of this
16 contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code.
17 The contract will require that at a minimum there will be 6 Dog Control Officers in New Castle County, 3
18 in Kent County and 3 in Sussex County during Fiscal Year 2006.

19 (b) During Fiscal Year 2006, the department shall coordinate with New Castle County, Kent
20 County and Sussex County to develop an implementation plan to transition the administration and
21 enforcement for dog control to the county level effective for Fiscal Year 2007. Said plan and necessary
22 changes to the Delaware Code shall be submitted to the Director of the Office of Management and
23 Budget, Controller General and co-chairs of the Joint Finance Committee no later than November 1,
24 2005.

25 Section 248. Section 1 of this Act makes an appropriation for Contractual Services to the
26 Department of Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that
27 amount \$50.0 shall be used to support the Partnership for the Delaware Estuary.

1 Section 249. Section 1 of this Act appropriates \$257.5 to Soil and Water Conservation, District
2 Operations (40-07-04) for Contractual Services. Of that amount, \$160.0 shall be used for additional field
3 staff personnel for the preparation of nutrient management plans.

4 Section 250. Section 1 of this Act makes an appropriation for Contractual Services to
5 Department of Natural Resources and Environmental Control, Parks and Recreation, Planning,
6 Preservation and Development (40-06-04). Of the total appropriation, \$25.0 is dedicated to Greenways
7 and Trails maintenance.

8 Section 251. Section 1 of this Act appropriates \$2,422.1 to the Division of Parks and Recreation,
9 Wilmington State Parks (40-06-05). Of this amount, \$50.0 shall be used for monument and general
10 maintenance within the parks, including the maintenance of war memorials and ball fields.

11 Section 252. (a) Section 1 of this Act appropriates funding to Fish and Wildlife,
12 Wildlife/Fisheries (40-05-02) for the Deer Damage Assistance Program. This funding includes \$51.3 in
13 Personnel Costs and 1.0 FTE for an Environmental Scientist III, \$61.5 in Contractual Services for
14 butchering fees, seminars and deer school and \$20.7 in Supplies and Materials for the Master Hunter
15 Program, videos and literature.

16 (b) Section 1 of this Act also appropriates funding to contractual services in Fish and Wildlife,
17 Wildlife/Fisheries (40-05-02). Of said funding, up to \$5.0 may be expended to conduct a study to assess
18 the feasibility of implementing a deer management program based on deer management strategies utilized
19 in New Zealand. Said study shall be submitted to the Director of the Office of Management and Budget,
20 Controller General, and co-chairs of the Joint Finance Committee no later than December 1, 2005.

21 Section 253. Section 1 of this Act appropriates \$126.6 to Water Resources, Watershed
22 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-
23 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$90.8 and
24 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the
25 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland
26 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

4 Section 255. Section 1 of this Act makes an appropriation to the Department of Natural
5 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and
6 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of
7 office space, storage facility, and garage for Mosquito Control.

8 Section 256. Section 1 of this Act appropriates funds to support 2.0 FTEs within the Department
9 of Natural Resources and Environmental Control, Air and Waste Management, Air Quality Management
10 (40-09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro
11 Chemical Complex. The second position is an Environmental Engineer II/IV assigned to
12 Claymont/Edgemoor Industrial Complex and located at the Robinson House. The incumbents shall each
13 submit an annual report to the Joint Finance Committee on February 1 of each year, which summarizes
14 the complaints and activities of the previous calendar year. These positions will respond to and provide
15 follow-up on complaints from the community on the air quality throughout New Castle County.

16 Section 257. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

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

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

1 Section 258. Section 1 of this Act appropriates \$4,277.7 to the Department of Natural Resources,
2 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to
3 fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services
4 and contractual services at the Bellevue State Park system.

5 Section 259. The budget complement of the Department of Natural Resources and
6 Environmental Control, Water Resources, Environmental Laboratory (40-08-02) includes 2.0 FTEs
7 Analytic Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes
8 vacant, it shall be converted to ASF. The remaining position shall not be converted.

9 Section 260. Section 1 of the Act appropriates \$1,869.1 to the Department of Natural Resources
10 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).
11 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

12 Section 261. Section 1 of this Act appropriates \$537.8 to the Department of Natural Resources
13 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that
14 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0
15 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

16 Section 262. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and
17 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and
18 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,
19 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based
20 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

25 The promotional increases shall be based on a competency based matrix. The matrix shall provide
26 for promotional standards both within and between pay grades. There shall be three levels that an
27 employee must achieve within one pay grade before in order to be eligible for promotion to a higher pay
28 grade. These three levels are skill building, full performance, and expert. Decisions related to promotion

1 to a higher pay grade shall be determined be an Enforcement Oral Board made up of 2 representatives
2 from the Department of Natural Resources and Environmental Control and 3 representatives from the
3 Office of Management and Budget.

4 Section 263. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act
5 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of
6 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and
7 abandoned underground storage tank (UST) systems. These USTs shall include those where the
8 responsible parties have shown to the satisfaction of the Department of Natural Resources and
9 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and
10 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery
11 of the funds expended under the HSCA fund.

12 Section 264. Section 1 of this Act makes an appropriation to the Department of Natural
13 Resources and Environmental Control, Water Resources, Management and Support – Water Resources
14 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the
15 Environmental Training Center at Delaware Technical and Community College, Owens Campus.
16 Funding is to be used to provide training for state and local water and wastewater operators.

17 Section 265. Fish and Wildlife is authorized to expend funds carried forward from the sale of
18 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries
19 programs and marine enforcement.

20 Section 266. It is intent of the General Assembly that the Department of Natural Resources and
21 Environmental Control shall be required, pending legal review, to post on its Internet website within three
22 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers
23 after such citations have been entered in the courts.

24 Section 267. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,
25 which shall be exempt from the Merit System, to the Department of Natural Resources and
26 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and
27 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.
28 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after

1 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal
2 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to
3 the investigation of the incident; and the indirect costs related to all of the above.

4 Section 268. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the
5 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife
6 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol
7 the inland bays.

8 Section 269. Air and Waste Management (40-09-03) shall have 1.0 FTE exempt position in
9 addition to those authorized by 29 Del. C. § 5903. When position BP #09228 becomes vacant, it shall be
10 classified by the Director of the Office of Management and Budget in accordance with the Merit System,
11 29 Del. C. c. 59.

12 Section 270. Section 1 of this Act appropriates \$66.3 ASF in Personnel Costs and 1.0 ASF FTE
13 Green Energy Program Administrator, \$1.0 ASF in Travel, and \$5.0 ASF in Contractual Services from
14 the Green Energy Fund to the Department of Natural Resources and Environmental Control, Office of the
15 Secretary, Energy Office (40-01-04).

16 Section 271. Section 1 of this Act appropriates \$924.5 in General Funds for contractual services
17 in Parks and Recreation (40-06-00). Of this amount, \$14.4 shall be used for the leasing of an enforcement
18 vehicle and Interpretive Program vehicle at Killens Pond State Park.

SAFETY AND HOMELAND SECURITY

Section 272. 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 273. 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 274. 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 275. 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 276. 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 277. 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 278. 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 279. 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.

20 Section 280. Section 1 of this Act provides funding of \$26.9 in Personnel Costs and 1.0 GF FTE
21 Administrative Specialist I to the State Bureau of Identification (45-06-08) for the enactment of Senate
22 Bill 52 of the 143rd General Assembly. If Senate Bill 52 or similar legislation is not enacted, this
23 appropriation shall revert to the General Fund.

24 Section 281. (a) Amend 21 Del. C. §4106 (e) by inserting between "Secretary" and "." the words
25 "of Safety and Homeland Security".

26 (b) Amend 21 Del. C. §4353(c) by deleting the word "Department" and inserting in lieu thereof
27 "Secretary of Safety and Homeland Security".

1 (c) Amend 21 Del. C. §4356A of the Delaware Code by deleting “Public Safety” as it appears and
2 inserting in lieu thereof “Safety and Homeland Security”.

TRANSPORTATION

Section 282. 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 283. 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 284. 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 285. Section 1 of this Act makes an appropriation of \$1,365.7 TFO to Planning (55-03-
17 01) for Operations/Capital.

18 (a) Of this amount, \$50.0 shall be used for infrastructure research and forums through the
19 University of Delaware, Institute for Public Administration. An additional \$50.0 shall be allocated for the
20 purposes set forth in this Section to be funded from eligible Federal Funds. The activities funded by this
21 appropriation shall be approved by the Secretary of the Department of Transportation.

22 (b) Of this amount, \$250.0 shall be used for the purposes of funding research programs of the
23 Delaware 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 286. 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 287. 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 288. Section 1 of this Act makes an appropriation in the amount of \$55,832.4 TFO to
 11 Maintenance and Operations, Maintenance Districts (55-04-70) and \$15,277.2 TFO to Maintenance and
 12 Operations, Toll Administration (55-04-90). Additionally the Turnpike Operating Reserve Fund is
 13 authorized at \$1,449.2.

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

Line Item	Toll Operations		Maintenance	E-ZPass	Total All
	I-95	SR-1			
Personnel Costs	3,142.9	3,777.5	7,043.4		13,963.8
Travel	26.0				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		66.0		157.0
TOTALS	4,858.2	4,979.0	9,906.9	5,440.0	25,184.1
FTE’s	66.0	74.0	152.0		292.0

15
 16 Section 289. 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 290. 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, State Controller General, a Representative of Council 81 AFL-CIO, a
6 Representative of the Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American
7 Arbitration Association. Guidelines for both pilot programs shall be developed by the department for
8 approval by the Committee. Analytical assistance shall be provided by the staffs of the Finance, 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 1st.

22 Section 291. 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 292. 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 293. 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 294. 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 295. 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 296. 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 297. 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 298. 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 299. (a) Section 1 of this Act provides an appropriation of \$595.2 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	400.8
9	Kent County	57.0
10	Sussex County	57.0
11	TOTAL	\$595.2

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 (d) Of the amount allocated to the City of Wilmington, \$150.0 shall be allocated by the Mayor of the
22 City of Wilmington and used to develop and implement the "Wilmington Model" by the Metropolitan
23 Wilmington Urban League.

24 Section 300. Section 1 of this Act provides an appropriation of \$390.0 in Contractual Services to
25 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit
26 professional apprenticeship and training program for young Delawareans ages 18-30. The training and
27 apprenticeships shall include leadership skills, team building, problem solving and community issues.

1 Section 301. Amend 19 Del. C. §2301A (b) by deleting the number “\$15,000” and replacing it
2 with the number “\$22,700” and by deleting the number “\$18,000” and replacing it with the number
3 “\$25,700” in the existing subsection.

AGRICULTURE

1
2 Section 302. 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 303. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby
8 authorized to develop and implement a state crop insurance program, not to exceed a funding level of
9 \$600.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop
10 insurance program is intended to encourage farmers to enroll in federal crop insurance programs and
11 provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost
12 share assistance at a rate not to exceed 30 percent of farmer paid premium with a maximum subsidy of
13 \$3.00 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 304. 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.

26 Section 305. Amend Section §10002, Title 3 of the Delaware Code, by adding the following new
27 sentence: "The Harness Racing Commission and all employees in positions authorized in the Annual

1 Appropriations Act assigned to the Harness Racing Commission (65-01-05) shall report directly to the
2 Secretary.”

3 Amend Section §10101 (a), Title 3 of the Delaware Code, by adding the following new sentence:
4 “The Thoroughbred Racing Commission and all employees in positions authorized in the Annual
5 Appropriations Act assigned to the Thoroughbred Racing Commission (65-01-10) shall report directly to
6 the Secretary.”

7 Also, amend Section §8103, Title 29 of the Delaware Code by adding the words, “the Harness
8 Racing and Thoroughbred Racing Commissions and positions authorized in the Annual Appropriations
9 Act assigned to the Commissions ” after the word “functions”.

10 Section 306. Section 1 of this Act makes an appropriation to the Harness Racing Commission
11 (65-01-05) and the Thoroughbred Racing Commission (65-01-10) for fingerprinting. It is the intent of the
12 General Assembly that the Commissions are required to use the State Bureau of Identification for all
13 fingerprinting activities and background investigations per recommendation of the Joint Sunset
14 Committee.

15 Section 307. Section 1 of this Act makes a one-time appropriation of \$160.0 to the Department
16 of Agriculture, Nutrient Management (65-01-12) for a Nutrient Management Demonstration and Research
17 Project. It is the intent of the General Assembly that this project will be a collaborative effort of the
18 Nutrient Management Commission, the Department of Agriculture and the Legislative Council Technical
19 Advisory Office.

ELECTIONS

1
2 Section 308. 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 309. 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 310. 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 311. 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 \$250.00 for
8 each facility used, no matter how many election districts are assigned to that facility.

9 Section 312. Any state agency, office or department is prohibited from publishing or funding the
10 publication of voter guides.

11 Section 313. Notwithstanding any other provisions of the Delaware Code or this Act to the
12 contrary, the Sussex County Department of Elections is authorized to use prior year funds originally
13 appropriated for School Elections, Mobile Registration, and One Time, for costs associated with the
14 repair and upkeep of the warehouse facility purchased in Fiscal Year 2005.

15 Section 314. Based on findings of the 2001 Tax Compliance Audit, specifically those regarding
16 poll worker compensation and deductions, all Department of Election poll workers shall be compensated
17 through the Payroll/Human Resource Statewide Technology (PHRST) system if paid \$1,200.00 or more
18 during a calendar year. In addition, all appropriate deductions shall be taken from such compensation.
19 All Department of Election poll workers who are paid under \$1,200.00 may be paid through the Delaware
20 Financial Management System.

21 Section 315. The Commissioner of Elections, with the assistance of the Office of Management
22 and Budget and the Controller General's Office, shall perform an analysis of established positions and
23 casual/seasonal slots within the Commissioner's Office. This analysis shall include, but is not limited to,
24 a workload review of each employee and a comprehensive review of employment practices to include
25 duration of employment, rate of staff turn-over , employee hours worked and any additional information
26 relating to the workflow of the Office. The analysis and report summary shall be submitted to the
27 Director of the Office of Management and Budget and the Controller General no later than November 15,
28 2005.

FIRE PREVENTION

1

2

Section 316. 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 317. 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

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Section 318. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

Section 319. Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.

Section 320. Section 1 of this Act appropriates \$78.0 to Delaware National Guard (76-01-01) for Servicemembers' Group Life Insurance (SGLI). These funds are for the purpose of reimbursing insurance premiums for active duty Delaware National Guard members.

Section 321. The Delaware National Guard, with the approval of the Budget Director and Controller General, is authorized to use excess educational funds to fund recruitment programs.

HIGHER EDUCATION

Section 322. 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 323. (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	2,232.6
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	\$8,700.5

Agricultural Programs:

Agricultural Experimental Station	\$ 629.4
Agricultural Cooperative Extension	944.8
Agricultural Research and Education Center	523.7
Poultry Disease Research	1,071.0
Crop Extension	291.1
Agricultural Environmental Quality	194.6
Soil Testing and Pesticide Program	366.6
Carvel Research Center	150.0
Diagnostic Poultry Program	<u>147.0</u>

1	Total	\$4,318.2
2	<u>Other Programs:</u>	
3	Sea Grant	\$ 534.6
4	Urban Agent Program	129.6
5	Public Service and Applied Research Projects	433.1
6	Minority Recruitment	280.3
7	Local Government Research and Assistance	228.7
8	Graduate Education (Southern Delaware)	35.7
9	Library Automation	52.0
10	Nurse Practitioner	257.8
11	Science, Engineering and Technology Service Program	150.1
12	Molecular Biology/Biotechnology Program	478.7
13	Math/Science Education for DE Teachers	589.8
14	Center for Community Development and Family Policy	250.7
15	Training and Research (Educational Management)	112.1
16	Computer Aided Math Instruction	80.0
17	Delaware Center for Teacher Education	333.3
18	Research on School Finance Issues	86.8
19	Delaware Education Research and Development Center	226.4
20	Delaware Research Scholars Program	150.0
21	Milford Professional Development School	112.9
22	Information Technology Partnership	2,444.3
23	Biotechnology	702.4
24	Computer Aided Instruction, Arts & Science	100.0
25	Clinical Instruction in Teacher Education	228.7
26	Early Childhood Education	109.4
27	Civics Education for Teachers	100.0
28	Biotechnology Institute	299.4

1	Software License Support	125.0
2	Study Abroad for Delaware Residents	50.0
3	Associate in Arts Degree	162.7
4	Early Learning Center	405.0
5	Service Learning Scholarships	200.0
6	Nursing Program Expansion	<u>300.0</u>
7	Total	\$9,749.5

8 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2006 budget is
9 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year
10 2006 utilizing University funds for those programs identified for reduction in State funds during Fiscal
11 Year 2004. In addition, the University will, and has agreed to, not lay off any faculty or staff in these
12 programs nor discontinue any of the impacted programs.

13 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of
14 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently
15 enrolled eligible recipients prior to Fiscal Year 2006, until said completion. The remaining \$100.0 shall
16 be used for new students in Fiscal Year 2006. Students that are pursuing educational or nursing degrees
17 shall have priority in receiving a merit scholarship under this Program.

18 Section 324. Section 1 of this Act provides an appropriation to the University of Delaware (90-
19 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs
20 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents
21 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative
22 Extension Program.

23 Section 325. Section 1 of this Act provides an appropriation to the University of Delaware for the
24 Milford Professional Development School. The University and the Milford School District shall submit
25 to the Controller General and the Director of the Office of Management and Budget, by March 1, 2006, a
26 joint report detailing the implementation status of this program as it relates to the appropriation herein.

1 Section 326. In accordance with Volume 73, Chapter 312 of the Laws of Delaware, the
2 University of Delaware's pilot for electronic distribution of pay advices has been successfully completed
3 and shall now be permanent.

4 Section 327. Section 1 of this Act makes an appropriation to Delaware State University,
5 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for
6 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the
7 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and
8 \$100.0 shall be for scholarships for female athletes.

9 Section 328. For the fiscal year covered by this Act, in order to continue the assessment of
10 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred
11 as a result of processing accounting transaction data into two independent accounting systems, the Budget
12 Director has authorized Delaware State University to:

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

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

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

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

26 The University shall comply with specific procedures developed and prescribed by the Office of
27 the Budget and the Department of Finance, Accounting. In addition, the University shall cooperate fully

1 with the Office of Auditor of Accounts to aid in any review or examination of the University's accounting
2 procedures, records and system.

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

8 Section 329. Section 1 of this Act provides an appropriation to Delaware Technical and
9 Community College, Office of the President (90-04-01), for Associate in Arts Program - Operation and
10 Associate in Arts Program - Academic. This appropriation is to assist in the provision of the Delaware
11 Technical/University of Delaware Associate in Arts Program which will be operated jointly by the two
12 institutions under a contract initiated by Delaware Technical and Community College. Under this
13 contract, the University of Delaware will teach students at Delaware Technical and Community
14 College's facilities. Future budget requests will be made jointly by Delaware Technical and Community
15 College and the University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis.
16 Approval of tuition and other fees will be made by the Board of Trustees of the institution that delivers
17 the relevant service and after the institutions have reached an agreement for tuition sharing.
18 Representatives from both institutions will meet at least once each semester to review program
19 operations.

20 Section 330. Section 1 of this Act contains an appropriation of \$204.6 for the Delaware Institute
21 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware
22 relating to the DIVME Program, these funds shall be used to provide tuition support for five Delaware
23 residents studying at the veterinary medicine program at the University of Georgia, two Delaware
24 residents studying at the veterinary medicine program at Oklahoma State University, plus four additional
25 students accepted to a veterinary medicine program for the coming year.

EDUCATION

1
2 Section 331. 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 332. Section 1 of this Act appropriates \$25.0 to the Office of Management and Budget,
11 Contingencies and One-Time Items (10-02-11) for a Statewide Student Growth Assessment Pilot (95-01-
12 01). These funds shall be allocated to the Metropolitan Wilmington Urban League for support of the Pilot
13 and the League shall submit a report outlining the pilot's findings to the Co-Chairs of the Joint Finance
14 Committee by May 1, 2006.

15 Section 333. (a) For this fiscal year, employees who have been issued an emergency certificate
16 for a third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary
17 reduction. Employees currently on an emergency certificate as a result of being assigned to an area
18 outside the area of certification shall not receive a ten percent salary reduction.

19 (b) Section 1 of this Act makes an appropriation of \$3,550.0 to Public Education, School District
20 Operations, Other Items (95-02-02) for Skills, Knowledge and Responsibilities Pay Supplements. This
21 appropriation provides funding for the supplements associated with professional development clusters,
22 mentor stipends and National Board Certifications. Any new programs, initiatives and/or clusters for
23 supplemental pay must be approved by the Professional Standards Board, State Board and Department of
24 Education. The implementation and effective dates for any new programs, initiatives or clusters for
25 supplemental pay must first be established and approved by the Director of the Office of Management and
26 Budget and Controller General, and is subject to available appropriation.

1 (c) Recognizing the effort involved in pursuing a National Board for Professional Teaching
2 Standards (NBPTS) certification by individuals paid under 14 Del. C. § 1305, excluding
3 superintendents, assistant superintendents, directors, and individuals employed in non-instructional
4 areas detailed in Section 1312(c), and employees at the Department of Education, such certification
5 shall result in a salary supplement as specified in 14 Del. C. § 1305 (m). The salary supplement shall
6 be based upon the 10-month base state salary scale for teachers. The Department of Education shall
7 report annually to the Director of the Office of Management and Budget and Controller General the
8 number of NBPTS certificates obtained under this program. The NBPTS salary supplement shall be
9 valid for a period not to exceed ten years.

10 (d) The funds received by charter schools through the Department of Education associated
11 with staff members who qualify for the salary supplement described in subsection (c) shall be paid to
12 said employees in accordance with subsection (c).

13 Section 334. Amend 14 Del. C. § 127(5) by adding at the end of the paragraph the following:
14 “In addition to the above calculation, teachers and administrators qualifying for professional
15 development clusters in accordance with 14 Del. C. § 1305(l) shall receive an additional amount equal
16 to the approved cluster percentage multiplied by the base salary amount defined in 14 Del. C. §
17 1305(b). This calculation shall not be increased for 11 or 12 month employment. The percentage shall
18 only be applied to the base 10 month salary for 10, 11 and 12 month employees. In accordance with 14
19 Del. C. § 1305(p), the cluster percentage is capped at 15 percent.”

20 Section 335. Notwithstanding the provisions of 14 Del. C. § 1305(m), (o) and (p), for those
21 employees who have achieved certification from the National Board for Professional Teaching
22 Standards and serve as teacher or lead mentors, the mentor stipend payment for such service will be
23 excluded from the 15 percent salary supplement limit only.

24 Section 336. Pursuant to 14 Del. C. § 1305 (q)(1), a course of study may include undergraduate
25 courses if the courses are in a specific content area and such courses do not include pedagogy.

26 Section 337. Amend 14 Del. C. §1305(m) by deleting the second sentence of said subsection
27 and inserting in lieu thereof the following sentence:

1 “An employee shall receive a salary supplement equal to 6% of base salary so derived for
2 receiving any of the following national certifications: 1) Certificate of Clinical Competence – speech
3 pathologists and audiologists, 2) National Certified School Counselor, 3) Music Therapist – Board
4 Certified, 4) Nationally Certified School Psychologist, and 5) National Certified School Nurse.”

5 Section 338. The Department of Education, Office of Management and Budget and the
6 Controller General’s Office shall examine the provisions of the Delaware Code requiring that each
7 reorganized school district has at least one school nurse per facility, specifically, as this provision
8 pertains to those districts and charter schools having insufficient enrollment to generate a State-funded
9 nurse for each facility.

10 Section 339. Section 1 of this Act makes an appropriation of \$650.0 ASF and 2.0 ASF FTEs to
11 the Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association
12 shall not operate any accounts outside of the State accounting system and the Fund shall be interest
13 bearing.

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

17 Section 340. Amend 14 Del. C. §1305(g) by adding after the year “2002” the words “and each
18 succeeding fiscal year”.

19 Section 341. Amend 14 Del. C. §1305 (h) by deleting said subsection in its entirety and
20 redesignating subsections 1305 (i) through (q) as subsections 1305 (h) through (p).

21 Section 342. Amend 14 Del. C. §1318A (b)(9) by deleting said subsection in its entirety and
22 inserting a new §1318A (b)(9) as follows:

23 “(9) Any recipient of this program is subject to a 1 work year cap with the number of days equal
24 to 188 days for a 10-month employee; 207 days for 11-month employees; and 222 days for a 12-month
25 employee.”

26 Section 343. Amend 14 Del. C. §1318(g) by deleting the phrase “and 1/190 for the fiscal year
27 beginning July 1, 2004;” as it appears therein.

1 Further Amend 14 Del. C. §1318(g) by deleting the phrase “and 1/209 for the fiscal year
2 beginning July 1, 2005,” as it appears therein.

3 Section 344. Amend 14 Del. C. §1320 by deleting the phrase “and 1/190 for the fiscal year
4 beginning July 1, 2005;” as it appears therein.

5 Further Amend 14 Del. C. §1320 by deleting the phrase “and 1/209 for the fiscal year beginning
6 July 1, 2005,” as it appears therein.

7 Section 345. Amend 14 Del. C. 1703(j) by deleting the last sentence of said subsection beginning
8 with the phrase “Commencing in FY 2006 and beyond”.

9 Section 346. For this fiscal year, the inflation factor for the local per pupil payments required
10 under the state’s Enrollment Choice Program, as specified in 14 Del. C. § 408(e), and for the local per
11 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. § 509(d),
12 shall be equal to two percent.

13 Section 347. Any course offered at a vocational technical high school may be offered in the
14 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the
15 Secretary of Education.

16 Section 348. Section 1 of this Act makes an appropriation to the Department of Education (95-
17 01-01) for Educator Certification and Development activities. This appropriation to the Department of
18 Education is intended to offset expenditures in the following areas: standard setting for PRAXIS II;
19 teacher and administrator assessment procedures; revision and update of teacher and administrator
20 evaluation procedures (DPASII); diversity and educator recruitment; professional recertification and
21 expanding the Alternative Routes to Teacher Certification program.

22 Section 349. Section 1 of this Act provides an appropriation of \$329.5 to the Department of
23 Education (95-01-01) for Standards and Assessment. Part of the Standards and Assessment program
24 agenda is to support the development and implementation of performance indicators.

25 Section 350. Section 1 of this Act makes an appropriation of \$50.0 to the Department of
26 Education (95-01-01) for Odyssey of the Mind. This appropriation shall be made available to school
27 students to assist in defraying out-of-state travel expenses associated with this program.

1 Section 351. Section 1 of this Act makes an appropriation of \$500.0 to the Department of
2 Education (95-01-01) for Student Mentoring. Of this amount, \$350.0 shall be used by the Department of
3 Education to review and award grants competitively to schools with grades kindergarten through eighth.
4 Programs selected shall provide at-risk children with academic tutoring and instruction, with the
5 involvement of parents and volunteer mentors. School districts shall make direct application to the
6 Department on behalf of individual school buildings, addressing in their proposal the following: (a) one-
7 on-one tutoring for academically at-risk students; (b) early childhood preventive intervention strategies;
8 (c) adherence to academic standards as adopted by the State Board of Education; (d) parental
9 involvement; and (e) provision of program evaluation and performance evaluation. Local schools are
10 encouraged to utilize such programs for students during non-core academic class time. Grant awards for
11 individual schools, of no more than \$30.0 each, shall be determined by the Department no later than
12 November 30 of each year and funds shall be allocated by December 31 of each year. The remaining
13 \$150.0 may go to the University of Delaware for the Delaware Mentoring Council to provide technical
14 assistance and professional development for mentors and other activities.

15 Section 352. Section 1 of this Act appropriates \$600.0 to the Department of Education (95-01-
16 01) for Infrastructure Capacity. These funds shall be used to support the development and
17 implementation of automated systems to manage such activities as the licensure and certification process;
18 the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements;
19 development of on-line standards-based units of instruction; and the accountability reporting system.

20 Section 353. Section 1 of this Act appropriates \$1,220.0 to the Department of Education (95-01-
21 01) for Educator Accountability. These funds shall be used to support the design and implementation of
22 DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification
23 system. Prior to expending any of these funds, an approved budget must be submitted by the Secretary of
24 Education, after consultation with the Professional Standards Board, and approved by the Director of the
25 Office of Management and Budget and Controller General.

26 Section 354. The Department of Education shall transfer \$100.0 to the Department of Safety and
27 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background

1 checks for all school district employees on a first come, first served basis. State Police shall send
2 quarterly reports to the Department of Education regarding expenditures of said funds.

3 Section 355. 14 Del. C. § 122(e), requires the Department of Education to review all regulations
4 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a
5 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership
6 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted
7 challenging content and performance standards, have aligned assessments to those standards, have
8 established a system of school and district accountability, and allow waiver of State statutory and
9 regulatory requirements relating to education.

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

18 Section 356. During Fiscal Year 2006, the Department of Education may be authorized to
19 continue a pilot funding structure within Brandywine and Seaford School Districts, to provide resources
20 to students with disabilities in the most flexible and equitable manner possible, upon approval of the
21 Director of the Office of Management and Budget and Controller General. Any changes to the existing
22 structure must be approved by the Director of the Office of Management and Budget and the Controller
23 General.

24 Section 357. The Delaware Code notwithstanding, during this fiscal year, the Director of the
25 Office of Management and Budget is authorized to continue funding for issues such as, but not limited to,
26 the number of administrative positions and activity busing for which the State was required to provide
27 funding as a result of a 1978 federal court order. This authorization, as it relates to administrative

1 positions, shall apply only to positions filled for employment, and shall not be considered as authorization
2 to fund any cash options pursuant to 14 Del. C. § 13.

3 Section 358. Amend 14 Del. C. § 1307 (3) by deleting the fraction “55%” as it appears therein
4 and inserting in lieu thereof the percentage “60%”.

5 Section 359. (a) Section 1 of this Act includes funding to provide an annual salary supplement in
6 the amount of \$662 for those Instructional Aides, paid under 14 Del. C. § 1324(b), who have received an
7 associate degree, completed two years of college or have successfully passed a comprehensive testing
8 mechanism to be defined by the Department of Education.

9 (b) The funds received by charter schools, through the Department of Education, associated with
10 staff members who qualify for the salary supplement described in subsection (a) shall be paid to such
11 employees in accordance with subsection (a).

12 Section 360. Line item funds appropriated in Section 1 of this Act to Public Education, School
13 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the
14 Department of Education (95-01-01), Block Grants and Pass Through Programs (95-03-00), Pupil
15 Transportation (95-04-00), or the local school districts. Examples of such use are: salary line transfers
16 and adjustments; unit adjustments; state share of tuition payment for private placement of handicapped
17 pupils; for Delaware residents of the Delmar School District attending Maryland schools; expenditures for
18 Americanization classes; and pupil transportation costs.

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

27 General Fund appropriations to Public Education in appropriation units (95-03-00), (95-04-00)
28 and the Delmar Tuition, General Contingency, Teacher of the Year, and Debt Service appropriations in

1 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for
2 Division I and Division II in 14 Del. C. § 1706 and § 1709.

3 Section 361. Section 1 of this Act makes an appropriation to Public Education, School District
4 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20
5 guaranteed units. In the event that more units are required districts shall receive partial unit funding in
6 proportion to the units available.

7 A school district that loses enrollment as a result of a decision to close a school or program shall
8 not be guaranteed units lost as a result of that decision. Charter schools shall not be eligible for funding
9 under the Guaranteed Unit Count.

10 Section 362. Notwithstanding the provisions of 14 Del. C. § 1703, the First State School
11 Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition,
12 Section 1 of this Act appropriates \$314.5 to Public Education, Block Grants and Pass Through Programs,
13 Special Needs Programs for the First State School.

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

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

23 Section 363. Section 1 of this Act provides certain appropriations to Public Education, School
24 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.
25 Allocation of these funds shall conform to the following:

- 26 (a) Debt Service amounts are predicated upon the amortization schedule as provided by the State
27 Treasurer.

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

3	1. Caesar Rodney - Americanization	\$ 14.1
4	2. Red Clay - Americanization	113.6
5	3. Margaret S. Sterck -	
6	Residence - Other Costs	85.4
7	Consultant Services	11.0
8	Preschool Summer Program	6.9
9	4. Christina Autistic -	
10	Residence - Other Costs	206.5
11	Contractual Services	11.4
12	5. John G. Leach	50.0
13	6. Sussex Orthopedic School	<u>12.9</u>
14	Total	\$511.8

15 Section 364. Section 1 of this Act makes an appropriation to Public Education, School District
16 Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,
17 \$1,500.0 shall be used to provide technical assistance and support to schools and districts rated as
18 academic review, academic watch or academic progress. The remaining \$100.0 shall be allocated for
19 recognition of schools and districts that receive the superior designation. Such recognition shall include
20 special ceremonies and/or the award of plaques or flags.

21 Section 365. Section 1 of this Act makes an appropriation of \$3,000.0 to Public Education,
22 School District Operations, Other Items (95-02-02) for Full-day Kindergarten Contingency to begin the
23 phase-in of statewide Full-day Kindergarten. This appropriation will provide funding to continue existing
24 pilot programs, as awarded by the Department of Education at the Fiscal Year 2005 funding level, in the
25 following school districts: Appoquinimink, Capital, Indian River, Lake Forest and Red Clay.

26 Notwithstanding 14 Del. C. § 1703, this appropriation also provides funding for the following
27 school districts/charter schools to generate Kindergarten units at a rate of 17.4: Academy of Dover, East

1 Side, Thomas Edison, Kuumba Academy, Laurel, Marion T. Academy, MOT, Providence Creek, Seaford,
2 Smyrna and Woodbridge.

3 The intent of Full-day Kindergarten is to offer voluntary comprehensive options to parents and
4 students. When a district and/or charter school fully implements Full-day Kindergarten, school districts
5 will still have to make available a half-day option if parents request it. School districts shall have the
6 flexibility to locate such half-day options at designated schools to ensure the most efficient use of state
7 and local resources. Transportation shall be made available for half-day and full-day Kindergarten
8 programs.

9 The Department of Education shall design an in-depth evaluation program of Full-day
10 Kindergarten, to include a longitudinal study and comparison of half and full-day programs by August 31,
11 2005. The co-chairs of the Joint Finance Committee shall have the opportunity to provide input on the
12 evaluation program, and upon the approval of the co-chairs of the Joint Finance Committee, such
13 evaluation shall be conducted over the course of the 2005-2006 school year with results to be reported to
14 the Joint Finance Committee by June 1, 2006.

15 Section 366. Section 1 of this Act makes appropriations to the Department of Education, School
16 District Operations, Division Funding (95-02-01) for Division II – All Other Costs and Energy. A
17 Division II – Energy Unit shall be valued at \$1,862.00. A Division II – All Other Costs Unit shall be
18 valued at \$3,279.00.

19 Section 367. Amend 14 Del. C. §1702 by adding subsection (e) as follows: “The Department of
20 Education, with the approval of the Director of the Office of Management and Budget and Controller
21 General, shall adjust the total Division II – All Other Costs allocation to be received by each local school
22 district and charter school based upon the level of funding appropriated by the annual appropriations act
23 for Division II – All Other Costs. Any adjustments made to such allocations, shall be pro-rated by
24 district/charter school per the number of Division I units in the preceding September 30 unit count.

25 As a result of any adjustments in funding, a school district, upon approval of the Director of the
26 Office of Management and Budget and Controller General, may transfer state funds in accordance with
27 guidelines provided by the Department of Education. Each local school district and charter school shall
28 be notified of their adjustment amount by July 15 of each fiscal year.”

1 Section 368. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during

2 Fiscal Year 2006, the sum authorized to the Education Expense and Property Tax Relief Fund shall be

3 allocated as follows:

4	District	Increase Support	Offset Local	
5	Allocation	for Education	Current Expense Taxes	Total
6	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
7	Appoquinimink ILC	18,468	0	18,468
8	Brandywine	0	2,158,200	2,158,200
9	Bush	16,350	0	16,350
10	AI Institute	6,298	0	6,298
11	Brandywine ILC	75,210	0	75,210
12	Christina	0	3,691,830	3,691,830
13	Autistic Program	135,407	0	135,407
14	REACH	53,533	0	53,533
15	Sterck	85,023	0	85,023
16	Christina ILC	170,040	0	170,040
17	Colonial	0	2,001,240	2,001,240
18	Leach	75,576	0	75,576
19	Colonial ILC	42,510	0	42,510
20	Red Clay	0	2,897,220	2,897,220
21	Meadowood	75,576	0	75,576
22	Red Clay ILC	122,811	0	122,811
23	Caesar Rodney	0	567,840	567,840
24	Caesar Rodney ILC	9,204	0	9,204
25	Charlton	47,554	0	47,554
26	Capital	0	728,495	728,495
27	Capital ILC	4,820	0	4,820
28	Kent Orthopedic	16,874	0	16,874
29	Lake Forest	0	412,230	412,230
30	Milford	0	584,661	584,661
31	Milford ILC	5,062	0	5,062
32	Smyrna	0	520,000	520,000
33	Smyrna ILC	5,000	0	5,000
34	Cape Henlopen	0	24,174	24,174
35	Delmar	0	125,000	125,000
36	Delmar ILC	1,303	0	1,303
37	Indian River	0	592,680	592,680
38	Laurel	0	358,314	358,314
39	Laurel ILC	5,874	0	5,874
40	Seaford	0	263,895	263,895
41	Seaford ILC	6,025	0	6,025
42	Woodbridge	0	125,000	125,000
43	New Castle Vo-Tech	0	834,485	834,485
44	New Castle Vo-Tech ILC	25,192	0	25,192
45	Polytech	0	125,000	125,000
46	Polytech ILC	12,272	0	12,272
47	Sussex Technical	0	0	0
48	Total	\$1,015,982	\$16,533,524	\$17,549,506

1 Section 369. Amend 14 Del. C. §1331 (d) by deleting subsection (4) in its entirety and inserting
2 in lieu thereof a new subsection (4) to read as follows:

3 “(4) One elementary school leader and one secondary school leader compensated at the
4 assistant principal rank (in lieu of a principal allocated pursuant to §1307 (2) of this title);”

5 Section 370. Amend 14 Del. C. §1331 (c) by deleting said subsection in its entirety and inserting
6 a new subsection (c) to read as follows:

7 “(c) In addition to subsection (a) of this section, The Sterck School may employ a early
8 intervention teacher who will work with parents and families in New Castle, Kent and Sussex Counties.

9 (1) The teacher shall work with parents/families and coordinate related services (such as
10 speech therapy, occupational therapy, physical therapy), as needed.

11 (2) The teacher shall be a certified teacher of the deaf/hard of hearing

12 (3) Provision for salary of the teacher and for expenses required for this job shall be made a
13 part of the appropriation for the Sterck School.”

14 Section 371. Amend 14 Del. C. §1707(b)(3) by deleting said section and substituting in lieu
15 thereof the following:

16 ““Authorized amount” means \$29,650 for fiscal year 2006 and as established in the
17 annual State Budget Appropriation Act thereafter.”

18 Section 372. Amend 14 Del. C. §1707(b)(10) deleting “72.8%” wherever it appears and
19 substituting in lieu thereof “71.8%”.

20 Section 373. Amend 14 Del. C. §1707(c) and (d) by deleting “.728” wherever it appears and
21 substituting in lieu thereof “.75”.

22 Section 374. Amend 14 Del. C. §1707(c) by deleting the words “In Fiscal Years 2004 and 2005”
23 as they appear in the last sentence and substituting in lieu thereof the following: “In Fiscal Years 2004,
24 2005 and 2006”

25 Section 375. Amend 14 Del. C. §1707(b)(5) by deleting the first sentence and substituting in lieu
26 thereof the following: ““Total full valuation” means the total assessed valuation of taxable property
27 divided by the average of the two most current assessment to sales price ratios.”

1 Section 376. Amend Section 1321 (e), Title 14, Delaware Code by adding a new subsection 1321
2 (e)(19) to read as follows:

3 “Beginning with the fiscal year commencing July 1, 2005, any position generated by subsection
4 1321 (e)(7) shall qualify the local school district to receive the state share of the Division III
5 Equalization unit amount as defined in §1707 of this title for each position.”

6 Section 377. Section 1 of this Act provides an appropriation to Public Education, Block Grants
7 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This
8 appropriation shall be allocated by the Department of Education to the following programs/districts:
9 Adult Trade Extension/Apprentice Program (statewide), James H. Groves High School (statewide), Adult
10 Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware
11 Skills Center (New Castle County Vocational Technical School District), Alternative Secondary
12 Education Program (statewide), Marine Mechanics Apprentice Program (Sussex Technical School
13 District) and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2006,
14 each program shall receive no less than the same allocation from this appropriation as its Fiscal Year
15 2005 allocation except the allocation for the Delaware Skills Center shall be increased by \$100.0.

16 Section 378. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
17 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

18 (a) The following allocations shall be provided:

19 (1) \$275.0 for Alternative Routes programs. \$200.0 is provided for the Alternative Routes to
20 Certification program, to include an expansion for Special Education. The remaining
21 \$75.0 may be used for the Summer Institute program.

22 (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional
23 and curriculum development activities. Districts shall submit applications to the
24 Department of Education detailing the district’s plan for the utilization of these funds.
25 The Department of Education shall review and approve plans and allocate an amount not
26 to exceed \$331.00 per certified employee, based on a district's personnel complement for
27 the 2004-2005 school year. Grants are to be used for developing and implementing
28 curriculum based on the content standards established by the Curriculum Frameworks

1 Commission, as approved by the State Board of Education or for other professional
2 development activities, including, but not limited to: Discipline, Special
3 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared
4 Decision Making, local school board member training, and Educational Technology.
5 Districts are encouraged to collaborate as a means of maximizing resources as well as
6 focusing district activities on consistent principles. Grants may be utilized for training,
7 planning, in-service programs and contractual services. The Department of Education is
8 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the
9 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final
10 approval of the district application for funding.

11 In the application, districts shall detail the proposed utilization of funds as well as
12 the incorporation of the following criteria:

13 (a) Integration of the proposal with existing resources and programs such as the
14 Comprehensive Discipline Act, Delaware Principals Academy, Delaware
15 Teachers Center, Drug Free Schools, Title I and II, Special Education and local
16 funds dedicated to Standards and Assessment.

17 (b) Inclusion of local staff in planning of the grant proposal, with representation
18 from all involved in student learning, including all professional employees by
19 category. The plan(s) should focus on overall improved student performance,
20 with a built in level of accountability to determine effectiveness.

21 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall
22 determine, in coordination with the agency (or agencies) operating this program, the goals
23 and objectives of this program, including how it will further the objectives of Standards
24 and Assessment and integrate Shared Decision Making training into the program focus.
25 The Controller General and the Budget Director shall ensure that the proposed program is
26 cost efficient and meets the objectives outlined in this section before agreeing to transfer
27 the appropriation from the Department of Education to the operating agency. All
28 expenditures from this allocation shall serve principals from the State of Delaware only.

1 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary
2 teachers to assist new teachers through leadership and guidance, and includes a training
3 component in order for teachers to become better mentors. This funding level allows for
4 a statewide program.

5 (5) \$1,100.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition
6 reimbursement for summer school courses. This allocation provides, at the discretion of
7 the Department of Education, for the possible operation of a tuition reimbursement
8 program for the purpose of reimbursing public school employees and teachers employed
9 by state agencies for tuition payments for undergraduate and graduate college courses,
10 including Early Childhood Education courses, or courses in an Education Technology
11 Certificate Program. Funds may only be used to reimburse certificated non-
12 administrative employees and paraprofessionals. A minimum of 20 percent of these
13 funds shall be used for reimbursement to paraprofessionals. If at the end of the fiscal
14 year districts are unable to spend this minimum requirement on paraprofessionals, the
15 remaining funds may be used towards certificated non-administrative employees. No
16 payment shall be made unless the course taken relates to the employee's job assignment
17 and is taken with the prior approval of the employing district board, superintendent or
18 state agency. Local school district boards of education are required to prioritize the
19 allocation of the funds they receive to support the educational advancement efforts of
20 regular education teachers taking special education and/or mainstreaming related courses
21 and other educational priorities established by the local boards of education based on
22 staff development goals or to ameliorate identified deficiencies. This allocation may be
23 used by local school districts to defray the costs for teachers seeking application for
24 National Board Certification from the National Board for Professional Teaching
25 Standards, and to defray the cost of the Para Pro-assessment for paraprofessionals and
26 Praxis II exam for teachers.

27 Reimbursement for tuition may be made for courses taken during summer
28 school or during the academic year for which a passing grade of B or better is obtained.

1 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a
2 course with an equal number of credit hours at the University of Delaware. Of the total
3 allocation made by Department of Education, a minimum of .75 percent shall be
4 allocated to state agencies and the balance shall be allocated to school districts in
5 amounts equal to each school district's proportion of Division I units to the total number
6 of Division I units statewide on September 30, 2005. Any funds not expended by a
7 school district or a state agency shall be transferred to other districts or agencies. In the
8 event that any district's allocation is not sufficient to provide total reimbursement to all
9 eligible employees, the district shall pro-rate the funds so that each eligible employee
10 receives a share of the total district allocation equal to the individual employee's
11 reimbursable expenditure divided by the total reimbursable expenditure of all employees
12 in the district multiplied by the district allocation. Funding for each school district shall
13 be divided into two equal parts. The first one-half shall be prorated as described above
14 among eligible employees who complete their courses prior to February 1, 2006. The
15 second one-half shall be prorated as described above among eligible employees who
16 complete their courses prior to June 15, 2006. In the event that funds remain in either
17 half year, the district shall be authorized to reallocate those funds to reimburse eligible
18 employees in the other portion of the year who did not receive full reimbursement. This
19 section shall supersede collective bargaining agreements to the contrary.

20 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of
21 release time of exemplary teachers in the content areas in which the Department of
22 Education has adopted content standards, who will provide assistance to districts on a
23 statewide basis in designing, demonstrating and implementing best teaching practices in
24 the development of curriculum to meet the established standards. The Department of
25 Education is authorized to transfer 50 percent of the estimated district grant amount by
26 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days
27 of the final approval of the district application for funding.

1 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3
2 will be allocated to the University of Delaware and \$169.1 to Delaware State
3 University to fund summer programs for the professional development of teachers. It is
4 intended that curriculum of the summer classes offered through this program, to
5 teachers and aides, be consistent with the curriculum standards which are currently
6 under development or have previously been adopted by the Department of Education.
7 Both the University of Delaware and Delaware State University shall incorporate into
8 their Summer School for Teachers course structure, the appropriate and necessary
9 elements that will enable participants to develop relevant classroom curriculum as well
10 as to gain additional exposure to best teaching practices in the standardized content
11 areas. The Department of Education shall continue to make staff available to assist each
12 institution in the preparation of the summer coursework. Future budget requests for
13 this program will be made by the Department of Education in their annual budget
14 request, following consultation with the University of Delaware and Delaware State
15 University.

16 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and
17 curriculum development activities in the content areas of reading and social studies.
18 The Department of Education shall determine, in coordination with the agency (or
19 agencies) performing such activities, the training goals and objectives, including how
20 the objectives of Standards and Assessment will be furthered. The Department of
21 Education, Controller General and Budget Director shall ensure that the proposed
22 development activities are cost efficient and meet the objectives outlined in this section
23 before agreeing to transfer the appropriation from the Department of Education to the
24 operating agency.

25 (9) \$150.0 for Delaware Academy of School Leadership activities. The Department of
26 Education shall determine, in coordination with the agency (or agencies) operating this
27 program, the goals and objectives of this program, including how it will further the
28 objectives of Standards and Assessment. The Department of Education, Controller

1 General and Budget Director shall ensure that the proposed program is cost efficient
2 and meets the objectives outlined in this section before agreeing to transfer the
3 appropriation from the Department of Education to the operating agency.

4 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,
5 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.
6 § 1305 and the state share of the Division III Equalization Unit amount as defined in 14
7 Del. C. § 1707 for one 11-month Reading Specialist. The purpose of this Specialist
8 will be the creation of a Reading to Reading Cadre which will provide assistance to
9 districts in designing, demonstrating and implementing best practices in reading
10 instruction. Such position shall be responsible for curriculum alignment and
11 professional development in reading for district educators.

12 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by
13 the Department of Education for administrative costs during the coordination of
14 teachers seeking national certification from the National Board for Professional
15 Teaching Standards (NBPTS).

16 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of
17 Education to implement a program for a career pathway for school district
18 paraprofessionals at Delaware Technical and Community College.

19 (13) \$25.0 for Models of Excellence. These funds shall be used to identify the
20 achievements of Delaware schools, to learn from program success in improving student
21 achievement and to recognize and share best practices among districts.

22 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the
23 Department of Education for professional accountability and instructional advancement activities.

24 Section 379. Section 1 of this Act makes an appropriation to Public Education, Block Grant and
25 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,
26 \$28,161.2 shall be used to fund units for academic excellence in the school districts in accordance with 14
27 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number
28 of Division I Units each district enrolls on the last school day in September. School districts may use the

1 funds to: purchase computer hardware, software or services; calculators; library resources; fund
2 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district
3 is entitled to less than one nurse per school; provide a student work-study program; provide conflict
4 resolution training; provide extended day or extended year programs for students performing below the
5 standard level; and provide stipends for professionals engaged in curriculum or professional development
6 activities sponsored by a local school district or the Department of Education, outside of the regular
7 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide
8 services. No homebound funds may be spent to provide services to students who have been suspended or
9 expelled from school, except for special education students. The Department of Education shall provide
10 an annual summary of school district plans for use of Academic Excellence funds to the Director of the
11 Office of Management and Budget and Controller General no later than December 1 of each year.

12 Section 380. For the fiscal year beginning July 1, 2005, any local school district that has had two
13 consecutive failed current expense tax referendums during the time period July 1, 2003 to January 1,
14 2006, is authorized to exercise the cash option on Academic Excellence units up to the total number of
15 units provided under that program. This provision will apply for Fiscal Year 2006 only. In addition,
16 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local
17 salary supplements. Any district that has had a successful current expense tax referendum subsequent to
18 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

19 Section 381. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block
20 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It
21 is the intent that this money be used to provide summer programs including an eighth grade program in
22 environmental heritage.

23 Section 382. Section 1 of this Act provides an appropriation of \$257.7 to Public Education,
24 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD
25 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the
26 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them
27 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs
28 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

1 Section 383. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block
2 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The
3 Department of Education shall transfer this appropriation to the University of Delaware to help fund a
4 summer school program, for college credit, for gifted and talented students.

5 Section 384. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,
6 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute
7 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap
8 program. The Department of Education shall transfer this appropriation to the University of Delaware,
9 which acts as the fiscal agent for this statewide program.

10 Section 385. Section 1 of this Act provides an appropriation of \$273.7 to Public Education,
11 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for
12 Economic Education. Of this amount, \$29.1 is appropriated to support a professional development
13 model for systematically training teachers in content and pedagogy and provide them with ongoing
14 support in the classroom.

15 Section 386. In order that the children for whom the learning disability and socially or
16 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such
17 children, the Department of Education shall require strict adherence to approved guidelines before release
18 of any funds designated for such children. The Department of Education shall particularly ascertain that
19 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are
20 developed to determine eligibility of socially or emotionally maladjusted children so that this category
21 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious
22 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally
23 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made
24 at least every three years. The Department of Education will report annually to the Director of the Office
25 of Management and Budget and the Controller General on or before April 1 on the actions and results of
26 actions required by this section.

27 Section 387. Section 1 of this Act makes an ASF appropriation to Public Education, Block
28 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services

1 Cost Recovery Project (CSCR). All local school districts shall fully participate in the implementation
2 and operation of the project for the fiscal year ending June 30. Local school district participation shall
3 be on a district-wide basis.

4 The following resources are appropriated to operate the Children's Services Cost Recovery
5 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional
6 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel
7 which, pursuant to this section, are passed through to the local school district shall be dedicated to
8 implementing the Children's Services Cost Recovery Project.

9 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be
10 located at the Department of Education. The Department of Education is hereby permitted to authorize
11 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this
12 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial
13 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the
14 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in
15 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and
16 § 1309, including the local salary supplement in place at the employing local school district.

17 All revenue generated through the cost recovery project from local school district sources will,
18 after the deduction of all operational project costs, be divided between the State General Fund and the
19 local school district's operating funds in a proportion that equals the original sharing of expenses. Any
20 funds returned to a local school district that were generated through recovery on non-transportation
21 services provided by a tuition-based special school must be made available to the special school for
22 expenditure at the special school.

23 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future
24 recoveries on a similar basis as indicated above.

25 Section 388. For the purpose of participating in the Children's Services Cost Recovery Project,
26 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or
27 otherwise licensed by the Department of Education in accordance with the provisions 14 Del. C. §
28 1092, shall be considered in compliance with qualification standards equivalent to state licensure to

1 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be
2 limited to the delivery of services related to the Department of Education or local school district
3 approved school programs conducted within the course of the regular school day at a Department of
4 Education or local school district approved school site or least restrictive environment location. The
5 provisions of this section shall in no way be construed as entitling a person not otherwise qualified to do
6 so to represent himself to the public by any title or description of services incorporating the words
7 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except
8 as may be herein specifically provided.

9 Section 389. The Interagency Resource Management Committee (IRMC) fosters an interagency
10 approach in coordinating the delivery of early care and education services in Delaware, and the
11 establishment and operation of the Office of Early Childhood.

12 The IRMC will coordinate the implementation of the recommendations of the October 1999
13 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",
14 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the
15 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal
16 year. Each report shall include:

- 17 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 18 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

19 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this
20 section.

21 The Director of the Office of Management and Budget and the Controller General are hereby
22 authorized to transfer funds among the budgets of the departments represented on the IRMC if there is
23 prior agreement by the secretary of the department, as the case may be, to which the funds were
24 previously allocated. Such transfers shall be intended to further the purposes of this section. The IRMC
25 shall be staffed by the Office of Early Childhood in the Department of Education. Such Office shall be
26 composed of a director, an assistant director and a clerical support position. Funding shall be provided by
27 the Department of Health and Social Services and the Department of Services for Children, Youth and

1 Their Families no later than July of each fiscal year to support the operational costs associated with the
2 assistant director and clerical
3 support positions. Funds allocated in this section are to be used to support the work of the Office and to
4 continue the interagency evaluation process for Delaware's early childhood programs.

5 Section 390. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
6 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

7 (a) A total of \$3,520.0 is allocated for the statewide implementation of programs for severe
8 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the
9 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex
10 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must
11 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among
12 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be
13 utilized for improvement of academic programs and \$200.0 will be utilized for extended year
14 opportunities. A total of \$100.0 is allocated to increase resources for programs in Kent and Sussex
15 Counties and shall be equally divided between the two programs. If funds are used for personnel costs,
16 they may only be used for the state share in accordance with the schedules contained in 14 Del. C.,
17 Chapter 13.

18 Programs receiving funds under this section may utilize no more than \$300.0 in total from Pupil
19 Transportation (95-04-01) for transportation expenses.

20 (b) A total of \$7,699.8 is authorized for disruptive students at the school and district levels. The
21 base incentive grants shall be provided to all school districts in the State as follows:

22 Schools grades K-6:	\$30.0
23 Schools grades 7-12:	\$40.0

24 If funds are used for personnel costs, they may only be used for the state share in accordance with
25 the schedules contained in 14 Del. C., Chapter 13.

26 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to
27 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and

1 certification in the district's grant application that the school is in compliance with the provisions of the
2 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

3 Each school shall receive no less than the amount received in the fiscal year ending June 30. In
4 order to provide districts with grants in a timely manner, all applications for base grants must be
5 submitted for review by the Department of Education no later than November 15 of each year.

6 (c) For the purpose of facilitating the continuation of services, districts receiving an allocation
7 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's
8 base grant allocation at the outset of each fiscal year. These districts are required to present program
9 proposals to the Department of Education no later than November 15 each year. Upon Department of
10 Education approval, adjustments to program allocations will be made.

11 (d) The Department of Education shall determine common data definitions and data collection
12 methodologies for each program in this section. Districts shall use such definitions and methodologies
13 and shall provide information as requested by the Department of Education. This information shall
14 include but not be limited to the following: the number of students served, reasons for service, measures
15 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within
16 programs, and number and types of referrals for additional services. The Department of Education shall
17 prepare a statewide management report to identify needs for program improvement and best practice.

18 (e) A total of \$3,595.6 is authorized for prevention components administered by the Department
19 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be
20 provided as follows:

21 (i) \$3,595.6 to provide early intervention services through the Department of Services for
22 Children, Youth and Their Families, Family Crisis Therapist Program. Services are
23 intended for grades K-3 and shall address but not be limited to, problems such as Early
24 Onset Conduct Disorder. The Department of Services for Children, Youth and Their
25 Families may enter into contractual agreements, may employ casual/seasonal personnel, or
26 may create the necessary positions with the approval of the Delaware State Clearinghouse
27 Committee and maintain an ASF or NSF account with sufficient spending authority to
28 operate the program.

1 (ii) For purposes of implementing (i) above, the Department of Education and the Department
2 of Services for Children, Youth and Their Families shall administer a competitive
3 Request for Proposal (RFP) process to determine grant awards to local districts. Grant
4 awards shall be for a period of 12 months. Factors that may be utilized in the evaluation
5 of proposals can be, but are not limited to, the following: links to Part II discipline
6 funding or other district resources; the use of collaborative partnerships; the relative need
7 of the local school district community; and the recognition within a proposal of the need
8 to provide services to meet the presenting problems of both the child and the family. To
9 the extent possible, the Department of Services for Children, Youth and Their Families is
10 authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid
11 eligible children. Funds resulting from these efforts may be used to expand these
12 services with prior approval of the Director of the Office of Management and Budget and
13 the Controller General.

14 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139th General
15 Assembly, a total of \$1,325.0 shall be allocated for the continued operation of the alternative school
16 program. The program shall be developed utilizing research based best-practice models as described
17 in “Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999”. The
18 program shall provide year-round services to no more than 100 students. This program shall be
19 considered a special school for the purposes of charging tuition payments to be made by school
20 districts of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund
21 at least 30 percent of the total cost of the program. The New Castle County Consortium and the
22 Department of Education shall oversee administration of the program, and may enter into contractual
23 arrangements to operate the program. Such oversight shall include an annual evaluation of the
24 program to be submitted to the Department of Education.

25 Section 391. Section 1 of this Act provides an appropriation to Public Education, Block Grants
26 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only
27 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would
28 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all

1 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the
2 school districts and other ICT agencies.

3 Section 392. Any placement made pursuant to 14 Del. C. § 3124 in which the individual involved
4 is a ward of the State shall be funded fully from the State appropriation made for this purpose.

5 Section 393. Section 1 of this Act provides an appropriation to Public Education, Block Grants
6 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -
7 Vocational. This appropriation shall be used to continue the program of vocational education for
8 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a
9 maximum of six units, prior to application of the vocational deduct, units in a single program. The unit
10 shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first
11 full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

12 Section 394. (a) Section 1 of this Act provides an appropriation to Public Education, Block
13 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in
14 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low
15 achieving students in order that they may improve their academic performance in the four primary content
16 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state
17 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's
18 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative
19 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to
20 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,
21 up to 50 percent may be used within the normal school day provided the services are in the form of
22 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the
23 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this
24 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant
25 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the
26 district application for funding.

27 (b) The following criteria shall apply to each of the components of the Extra Time for Students
28 Program.

- 1 (1) In order to qualify for an allocation, each district shall submit an application to the
2 Department of Education as part of the districts' consolidated application. The application
3 must show evidence of building level staff involvement in the development of the district
4 proposal.
- 5 (2) The application provided to the Department of Education shall indicate the student
6 populations to be served, the type of program(s) proposed, the levels of academic
7 improvement the additional services are intended to achieve, and the measurement and/or
8 evaluation process the district will use to determine program effectiveness. Associated
9 transportation costs shall also be included in the district application.
- 10 (3) Funding for this component shall only be used for academic instruction or remediation
11 programs that are offered to a targeted population of low achieving students. Should funds be
12 used during the regularly scheduled six and one half hour school day, said funds must be used
13 to hire additional instructional staff to provide additional instruction or remediation to the
14 targeted population in one of the four core curriculum areas. Prior to the expenditure of funds
15 during the regular school day, districts must obtain the approval of the Secretary of
16 Education, Budget Director and Controller General and must certify to the Secretary of
17 Education, Director of the Office of Management and Budget and Controller General that
18 sufficient resources remain to operate the mandated summer school program. The
19 Department of Education shall promote the use of "Best Practices" in this area through all
20 available means.
- 21 (4) Funds appropriated pursuant to this section may not be used for curriculum development or
22 staff training functions, but may be used for the purchase of supplies and materials necessary
23 to operate extra time programs. To the extent that these funds are used to pay salary
24 expenses, they may only be used for the state share in accordance with the schedules
25 contained in 14 Del. C., Chapter 13.
- 26 (5) In order to maximize resources provided under this program, local school districts are
27 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the provisions of
28 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 395. 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. In addition to the above calculation,
20 teachers and administrators qualifying for professional development clusters in accordance with 14 Del.
21 C. § 1305(l) shall receive an additional amount equal to the approved cluster percentage multiplied by the
22 base salary amount defined in 14 Del. C. § 1305(b). This calculation shall not be increased for 11 or 12
23 month employment. The percentage shall only be applied to the base 10 month salary for 10, 11 and 12
24 month employees. In accordance with 14 Del. C. § 1305(p), the cluster percentage is capped at 15
25 percent. Employees whose primary job location is onsite within the institution shall also receive
26 hazardous duty supplements as provided in the Merit System. Teachers/supervisors shall receive an
27 administrative supplement of four to eight percent to be determined by the Department of Education with
28 the approval of the co-chairs of the Joint Finance Committee.

1 Students served under this program shall not be included in the calculation for unit count
2 purposes as defined in 14 Del. C. c. 17. The Director of the Office of Management and Budget and
3 Controller General may transfer funds between lines and departments to pay for this program.

4 Section 396. Any provisions of the Delaware Code to the contrary notwithstanding, the
5 Department of Education is authorized and directed to provide aides for the purpose of providing
6 mainstreaming services to deaf students as follows: three in the Capital School District, three in the Cape
7 Henlopen School District, one in the Appoquinimink School District, two in the Red Clay School District
8 and one in the Charter School of Wilmington.

9 Section 397. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
10 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep
11 Consortium is formed to provide for overall program development and management, coordination and
12 technical assistance. The Consortium will review and provide technical assistance and in-service training
13 for each proposal submitted to the Department of Education by any partnership initiating or operating a
14 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations
15 and federal legislation.

16 The Consortium Board of Directors shall include: the President or designee of the Delaware
17 Technical and Community College; the Superintendents of New Castle County Vocational-Technical
18 School District, Polytech School District and the Sussex County Technical School District; the State
19 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of
20 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware
21 State University and Wilmington College and one representative of business and industry. The
22 superintendent or designee of two comprehensive local school districts will also be appointed
23 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three
24 counties, on all campuses of Delaware Technical and Community College and other postsecondary
25 institutions as specified by the Consortium consistent with federal legislation. All secondary schools
26 are eligible.

27 Polytech School District will act as financial agent for the Consortium and an annual financial
28 and program report will be submitted to the co-chairs of the Joint Finance Committee.

1 The Consortium may select another member to serve as the financial agent in a subsequent year
2 consistent with the rules and procedures it adopts.

3 Section 398. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and
4 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.
5 Such funds shall be utilized to develop innovative after school programs to provide additional academic
6 support and enrichment for students. Funding shall provide approximately six to ten pilot programs
7 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private
8 businesses. The Department of Education shall administer a competitive grant process focused on the
9 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware
10 content standards; enrichment programs incorporating both traditional and non-traditional approaches;
11 and outreach to parents, especially those who are reluctant to interact with schools.

12 Section 399. Section 1 of this Act makes an appropriation to Public Education, Block Grants and
13 Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated, \$1,000.0 shall
14 be used to provide services to Limited English Proficient (LEP) students.

15 The Department of Education shall administer an application process to determine grant awards
16 to local districts.

17 To the extent that these funds are used to pay salary expenses, they may only be used for the state
18 share in accordance with the schedules contained in 14 Del. C., Chapter 13.

19 Section 400. Section 1 of this Act appropriates \$7,422.0 to Public Education, Block Grants and
20 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. This funding shall
21 provide one Reading Resource Teacher in each school, excluding state approved special schools, as long
22 as it maintains a grade configuration including any combination of grades Kindergarten through Fifth.
23 Reading Resource Teachers shall provide direct reading instruction to students which must include
24 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading
25 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading
26 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.
27 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with
28 documented classroom success in teaching reading.

1 This appropriation will provide districts and charter schools with the state share of salaries in
2 accordance with 14 Del. C. § 1305 for 10-month Reading Resource Teachers, as well as the appropriate
3 per unit amount of Division III funding. In order to maximize resources provided under this program
4 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the
5 provisions of 14 Del. C. § 1902(b).

6 The Department of Education will study and collect information from each school district
7 regarding the utilization of these educators, achievements and anticipated outcomes. The Department will
8 report this information to the Joint Finance Committee co-chairs, Budget Director and Controller General
9 no later than December 31, 2005.

10 Section 401. Section 1 of this Act appropriates \$1,311.7 to Public Education, Block Grants and
11 Pass Through Programs, Special Needs Programs for Mathematics Resource Teachers/Specialists. This
12 funding shall provide one Mathematics Resource Teacher/Specialist to the following 22 schools,
13 containing a grade configuration of grades sixth through eighth with the highest percentage of eight-grade
14 students scoring below the standard on the mathematics component of the 2004 DSTP: Marion T.
15 Academy Charter School; Woodbridge Middle, Woodbridge; George V. Kirk Middle, Gauger-Cobbs
16 Middle and Shue-Medill Middle, Christina; Central Middle, Capital; Conrad Middle, Alexis I. duPont
17 Middle and Stanton Middle, Red Clay; Seaford Middle, Seaford; Talley Middle, Brandywine; George
18 Read Middle and New Castle Middle, Colonial; Campus Community Charter School; Thomas Edison
19 Charter School; Sussex Central Middle, Indian River; Smyrna Middle, Smyrna; Laurel Middle, Laurel;
20 Positive Outcomes Charter School; Middletown Middle, Appoquinimink; Milford Middle, Milford;
21 Delmar Middle, Delmar.

22 Mathematics Resource Teachers/Specialists shall be utilized during the regular school day with
23 students who need additional support and instruction in standards based mathematics with the intent that
24 the students will be taught the skills they need to meet the Delaware mathematics standards as assessed by
25 the DSTP. Specifically these Teachers/Specialists will examine DSTP and other standards based
26 assessment data to determine students' progress toward meeting grade level expectations in Mathematics,
27 and will instruct students individually or in small groups to teach specific skills and concepts in which
28 students are deficient.

1 This appropriation will provide schools within districts and charter schools with the state share of
2 salaries in accordance with 14 Del. C. § 1305 for 10-month Mathematics Resource Teachers/Specialists,
3 as well as the appropriate per unit amount of Division III funding. In order to maximize resources
4 provided under this program local school districts are encouraged to match this funding on a 70/30
5 state/local basis pursuant to the provisions of 14 Del. C. § 1902(b).

6 The Department of Education will collect and study information from each school district
7 regarding the use of these educators, achievements and anticipated outcomes. The Department shall
8 report this information to the Joint Finance Committee co-chairs, the Director of Office of Management
9 and Budget and Controller General no later than February 1, 2006.

10 Section 402. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,
11 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This
12 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure
13 adopted by the Joint Finance Committee on April 16, 1981. The Public School Transportation
14 Committee, consisting of representatives from the Department of Education, Controller General's Office,
15 Office of Management and Budget and representatives for bus contractors and school district
16 transportation supervisors shall make recommendations to the Director of Office of Management and
17 Budget and Controller General for revisions to components of the transportation formula no later than
18 April 1, 2006.

19 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2006,
20 shall be allocated and shall not exceed \$66,129.5 (of which \$4,860.3 is designated as a transportation
21 contingency for the Charter and Choice initiatives), according to bus contract or district transportation
22 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following
23 amendments and procedural modifications:

- 24 (1) The per gallon price used to calculate the fuel allowance shall be based on the state
25 contract bid price for fuel plus \$.07 per gallon for districts and plus \$.31 per gallon for
26 contractors. For districts and contractors north of the Chesapeake and Delaware Canal,
27 the per gallon price shall be based on delivery to a large-sized tank (5,000 or more
28 gallons). In the case of contractors located south of the Chesapeake and Delaware Canal,

1 the per gallon price shall be based on delivery to a small-sized tank (275 - 1,900 gallons).
2 Upon determination by the Department of Education that a contractor located North of
3 the Chesapeake and Delaware Canal and operating five or fewer buses does not have
4 existing storage capacity in the large tank range, the per gallon price shall be based on the
5 smaller tank size.

6 The initial fuel rates shall be based on the state contract bid price as of June 1 of the
7 preceding fiscal year. Funding adjustment will be made when the annual average price
8 increases or decreases by at least five cents per gallon. The first review will be based on
9 the annual averages through December 31 of each year and additional reviews will be
10 conducted each month thereafter until April 30. Reviews may also be conducted at any
11 time upon the request of the Director of Office of Management and Budget and
12 Controller General.

13 (2) The Fiscal Year 2006 operating allowance will be adjusted for inflation by a rate of 4
14 percent.

15 (3) For the fiscal year ending June 30, 2006, the allowable cost of a new unused bus that was
16 purchased by a contractor and put on contract and that was produced between January 1,
17 2005 and December 31, 2005 (as noted on the school bus identification plate) shall begin
18 its seven-year capital allowance schedule using the 2005 state bid price for new school
19 buses, minus two percent for salvage value, plus eleven percent to account for dealer
20 charges and profits not reflected in the state bid price due to the higher number of buses
21 being purchased and the lag time between ordering and delivery. Any bus produced and
22 placed in service after January 1, 2006 of the current fiscal year shall be entitled to an
23 allowance based on the 2006 state bid price.

24 A used bus placed in service shall utilize the allowance schedule which would have been
25 allowed had the bus been placed in service when new based on its production date. The
26 bus shall receive the remaining years of capital allowance. The Department of Education
27 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining the
28 allowable cost for any size bus that it did not bid in Fiscal Year 2005. In addition to the

1 procedure for establishing the allowable cost of a new bus specified above, the
2 Department of Education is requested to structure its bids for buses in the fiscal year
3 ending June 30, 2006, in such a manner that public school bus contractors will be
4 permitted to purchase buses from the successful lower bidder at the same price as the
5 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest
6 base bid of an awarded contract minus two percent for salvage value will be the
7 allowable cost in subsequent reimbursements to the contractor.

8 (4) In Fiscal Year 2006, the school bus contractor insurance allowance shall be increased
9 by five percent.

10 (c) The Department of Education shall amend its transportation formula to permit replacement of
11 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle
12 which has operated 150,000 school-related miles regardless of the age of the vehicle.

13 (d) The Department of Education is authorized to amend its formula to allow the purchase of
14 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer
15 available.

16 (e) In addition to any other adjustments authorized by this Act, the Department of Education
17 is authorized to amend the formula to increase the hourly pay rate for school bus drivers by six percent
18 and to set the other employment costs rate for contractors equal to the rates established for the State.

19 (f) Except as specified in this section, or for changes in the price of fuel, or for the
20 adjustments of those items changed by state or federal laws, the Department of Education shall not
21 change the transportation formula unless the change has been authorized by the General Assembly and
22 an appropriation therefore has been made by the General Assembly.

23 (g) The Department of Education is authorized to amend its formula such that automatic
24 transmission shall be considered standard equipment on contractor and school district bus purchases.

25 (h) The Department of Education is authorized to amend its transportation formula to change
26 the miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-
27 per-gallon.

1 (i) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a
2 maximum of twelve air conditioned buses to transport special need students. The Department of
3 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may
4 be required to transport special education students that have a medical need for air conditioning
5 (specified by a physician), and that go to a special education school.

6 Section 403. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the
7 Department of Education, modifications requested by charter schools associated with the provision of
8 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be
9 considered a minor modification.

10 Section 404. Notwithstanding any other provisions of the Delaware Code or this Act to the
11 contrary, the Department of Education is authorized to approve and provide funding for additional
12 transportation routes necessary to support the Seaford School District's pilot implementation of a
13 balanced calendar schedule, beginning in Fiscal Year 2003.

14 Section 405. (a) During the fiscal year, the Department of Education is hereby directed to
15 provide bus transportation of public school students previously declared ineligible by the Unique Hazards
16 Committee, including the following:

17 (1) Students attending the Stanton Middle School who are now forced to walk along
18 Telegraph Road with a constant threat of injury.

19 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh
20 Road with a constant threat of injury.

21 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,
22 who attend the Seaford schools, grades K-6.

23 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north
24 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.

25 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School
26 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street
27 to duPont Street on the east-west grid.

- 1 (6) Students attending Newark High School who live in Windy Hills and are forced to walk
2 along Kirkwood Highway with a constant threat of injury.
- 3 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east
4 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 5 (8) Students attending Delcastle Technical High School who live in Newport and are forced
6 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 7 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route
8 13A south of Bridgeville, and students living west of Bridgeville who must travel along
9 Route 404 or Route 18.
- 10 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area
11 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk
12 along U.S. 13 in order to reach school.
- 13 (11) Students attending the Concord High School who live south of Naamans Road in the
14 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk
15 along Grubb and/or Naamans Road with a constant threat of injury.
- 16 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of
17 Laurel and the surrounding areas.
- 18 (13) Students attending Dover High School who live in Old Sherwood, south of Waples
19 Avenue.
- 20 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk
21 along Bellevue Road.
- 22 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross
23 over and/or walk along River Road between Lore and Bellevue.
- 24 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along
25 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.
- 26 (17) K-3 - New Todd Estates Development to Jeannie Smith Elementary School - because of
27 hazards of Route 4 at Pierson Drive intersection.

- 1 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary
2 School.
- 3 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the
4 railroad tracks.
- 5 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of
6 Bridgeville to Bridgeville north of town limits including streets with access to that part of
7 Route 13A.
- 8 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney
9 Brook areas, students who reside in the Woodacre Apartments and students who live along
10 Peachtree Road.
- 11 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and
12 Eden Ridge who must cross Concord Pike.
- 13 (23) Sussex Central High School and Georgetown Elementary School students who live east
14 of Bedford Street.
- 15 (24) Lombardy Elementary School students who must cross Foulk Road.
- 16 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- 17 (26) Students attending the Colwyck Elementary School who live in the Landers Park and
18 Swanwyck Gardens residential areas.
- 19 (27) Students attending Central Middle School, living in the area south of Kent General
20 Hospital, to include students living along and south of Westview Terrace, Dover Street, Hope
21 Street and Sackarackin Avenue.
- 22 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 23 (29) Students attending Brandywine High School who live in Concord Manor and are forced
24 to walk along Shellpot Drive and Windley Hill.
- 25 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School
26 in the Smyrna School District who live on Buresch Drive.
- 27 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between
28 Naamans Road and Marsh Road, any child currently receiving bus transportation by the

1 Brandywine School district who lives along Grubb Road (between Naamans Road and Marsh
2 Road) or lives in a neighborhood which enters directly onto Grubb Road (between Naamans
3 Road and Marsh Road) shall continue to receive bus transportation to and from school.

4 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend
5 Darley Road Elementary School.

6 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and
7 Westfield who must cross Limestone Road.

8 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the
9 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.

10 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap
11 Pike.

12 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive
13 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and in
14 the vicinity of Edgemoor Road in Edgemoor Terrace, and the Village of Fox Point on The
15 Governor Printz Boulevard.

16 (37) Students attending the Woodbridge School District, who live in the Canterbury
17 Apartments in Bridgeville, will embark and disembark in the parking lot of the apartment
18 complex in lieu of the bus stop area along the heavily traveled U.S. 13.

19 (b) The transportation of the students specified herein shall continue until the funds requested are
20 appropriated and construction is completed. Spur routes shall continue to be served as at present.

21 Section 406. Notwithstanding the provisions of any state law to the contrary, the Red Clay
22 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling
23 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School
24 and the Indian River School District is authorized to utilize state transportation dollars to fund students
25 traveling from routes to and from the Southern Delaware School of the Arts.

26 Section 407. Amend 14 Del. C. §508 by deleting the number “75%” as it appears therein and
27 insert in lieu thereof the number “80%”.

1 Section 408. During the fiscal year, the Department of Education will continue and broaden
2 implementation of the computerized routing system for school bus transportation. During this
3 implementation, the Department is directed to continue to provide bus transportation services to any
4 residential area which has received transportation services since October 1, 1977.

5 Section 409. Section 1 of this Act provides an appropriation to Department of Education, Pupil
6 Transportation (95-04-00) for Public School Transportation. Notwithstanding the provisions of 21 Del.
7 C. § 4366, the following reimbursement methodology is in effect:

8 (a) For those school districts or private contractors who are operating school buses equipped with
9 cellular phone technology or have no radio or telephonic communication equipment, the Department of
10 Education is authorized to bring said districts and contractors under a State negotiated cellular phone
11 contract such that the State shall pay one-half of the costs associated with the monthly connect charge,
12 subject to the availability of funds.

13 (b) For those school districts or private contractors who are operating school buses equipped with
14 radio equipment, the department is authorized to reimburse said districts or contractors one-half of the
15 installation cost of the radio equipment on a one-time basis.

16 Section 410. Section 1 of this Act appropriates \$1,000.0 to the Department of Education,
17 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall
18 administer a non-competitive application process to determine grant awards to local school districts and
19 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting
20 the maintenance of existing equipment in the schools either through the use of a full time technology
21 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as
22 may arise which could improve or enhance the technology capabilities of the district. To the extent that
23 these funds are used to pay salary expenses, they may only be used for the state share in accordance with
24 the schedules contained in 14 Del. C., Chapter 13. Funding will be distributed based on the formula
25 developed and approved by the co-chairs of the Joint Finance Committee in Fiscal Year 2001. Local
26 districts are encouraged to match their allocation pursuant to the provisions of 14 Del. C. § 1902(b),
27 provided the local match does not exceed those established under 71 Del Laws, c. 378. It shall be the
28 responsibility of the Department of Education to receive and disburse these funds. The department shall

1 also be charged with the authority to verify the use of the funds and shall require each school district to
2 annually report on expenditures of the funds.

3 Section 411. Section 1 of this Act provides an appropriation to the Department of Education,
4 Delaware Center for Education Technology (DCET). It is the intent of the General Assembly that DCET
5 be responsible for-and engage in activities related to total project needs and budgets for statewide
6 education technology projects, the establishment of cost-sharing policies, the initiation and delivery of
7 instructional technology programs, implementation on an on-going basis of professional training
8 programs related to statewide education technology and providing technical assistance to the Department
9 of Education for the initiation of system-wide applications including administrative and curriculum
10 development.

11 The Department of Technology and Information shall support and enhance statewide education
12 technology issues and network. In addition, DTI will collaborate with the Department of Education to
13 provide professional training programs related to using technology in schools which promote and support
14 Delaware's education standards initiative.

15 Section 412. The provisions of this Act to the contrary notwithstanding, consistent with the
16 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional
17 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra
18 Time for Students, Limited English Proficient, Academic Excellence, Technology Block Grant and Minor
19 Capital Improvements program will not be required to submit an application to the Department of
20 Education. Any funds received as a result of the allocation of these programs may be used for current
21 operations, Minor Capital Improvements, Debt Service payments or tuition payments.

22 Section 413. Section 1 of this Act makes an appropriation to the Department of Education,
23 Delaware Higher Education Commission (95-08-01) for Scholarships and Grants. Of that amount,
24 \$36.7 shall be used for the Herman M. Holloway, Sr. Scholarship Program per the provisions of 14
25 Del. C. c. 34; \$245.0 shall be used for the FAME Scholarship Program; \$30.0 shall be used for the
26 MERIT Scholarship Program; \$250.0 shall be used for the Professional Librarian/Archives Incentive
27 Program; \$64.2 for the Charles L. Hebner Scholarship; \$125.0 for Critical Teacher Scholarships; and
28 \$250.0 for Delaware Teacher Corps. Any Herman M. Holloway Sr. Scholarship Program funds

1 remaining after payment of the Holloway Scholarships, may be awarded to Delaware State University
2 students with financial need who applied to the Scholarship Incentive Program.

3 Section 414. The Delaware Higher Education Commission (DHEC) in the initial award cycle of
4 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any
5 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the
6 subsequent year with approval of the Department of Education. In the event that actual awards exceed
7 projected award amounts, spring awards may be reduced to cover the difference.

8 Section 415. Effective July 1, 2004, the Department of Education, in accordance with 14 Del. C.
9 Section 183, shall integrate at the level approved by the Joint Finance Committee on June 2, 2004.

10 Section 416. Section 1 of this Act makes an appropriation of \$100.0 to the Department of
11 Education, Delaware Higher Education Commission (95-08-01) for the National Board Certification Loan
12 Program. DHEC shall administer a non-competitive loan program for educators pursuing certification
13 from National Board for Professional Teaching Standards. Loans shall be made to cover costs associated
14 with the application fee and assessment process. If there are more individuals requesting funds than funds
15 appropriated, DHEC shall prorate the loans provided. Loans shall be interest-free as long as funds are
16 repaid within two years of achieving National Board Certification or within three years from the start of
17 the program whether the borrower is successful or not. If the loan repayment is not fulfilled within the
18 aforementioned terms, the borrower must repay all funds received with interest as determined by the
19 Delaware Higher Education Commission. Funds in this account shall be interest bearing. Delaware
20 Higher Education Commission is authorized to use up to \$10.0 annually from the Loan Program to offset
21 operational costs.

22 Section 417. The Delaware Higher Education Commission is hereby authorized to use up to
23 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the
24 recognition of students who are awarded scholarships associated with that appropriation.

25 Section 418. During the fiscal year, the Department of Education, with the approval of the State
26 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.
27 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with
28 disabilities and their parents where required by federal or state law, and/or departmental regulation. For

1 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the
2 Department of Education is authorized to engage the professional services of a cadre of single hearing
3 officers to preside over such hearings.

4 Section 419. The Brandywine School District Board shall maintain as a stand alone program its
5 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine
6 Academically Gifted Program) at least through the end of the 2008 - 2009 school year. The program shall
7 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently
8 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,
9 recruitment, assessment of students for entry into the program, curriculum development, teacher
10 assignment and other support elements as currently exist.

11 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to
12 its configuration as a stand alone program at its current locations prior to July 1, 2007.

13 Section 420. The Department of Education shall continue to work towards the collection of
14 school-level financial data. To this end, when processing transactions in the Delaware Financial
15 Management System (DFMS), local school districts shall use a standard set of program codes as
16 established by the Department of Education effective July 1, 2003.

17 Section 421. In accordance with the statewide healthcare reconciliation, beginning in Fiscal Year
18 2004 Capital School District will pay one-fifth of the total amount owed each fiscal year, ending in Fiscal
19 Year 2008.

20 Section 422. 72 Del. Laws, c. 258 appropriated \$4,000.0 to the Appoquinimink School District to
21 implement a \$4,500.0 Critical Classroom Acquisition Program (CCAP). The total local share of this
22 project shall be \$1,300.0. In Fiscal Year 2000, the district utilized \$500.0 of its Division III Equalization
23 funds. The remaining \$800.0 shall be repaid by the State withholding Division III Equalization funds in
24 accordance with the following schedule:

25	Fiscal Year 2001	\$160.0
26	Fiscal Year 2002	\$160.0
27	Fiscal Year 2003	\$160.0
28	Fiscal Year 2005	\$160.0

1 Fiscal Year 2006 \$160.0

2 Section 423. The Department of Education is authorized to work with the public school districts
3 to develop options for a flexible funding pilot program for school districts. Upon approval of the Director
4 of the Office of Management and Budget, Controller General and Joint Finance Committee Co-Chairs, up
5 to two school districts may pilot in Fiscal Year 2006.

6 Section 424. Amend 14 Del. C. § 1324(b) by inserting the following phrase at the beginning of
7 the paragraph “Each Service and Instructional”.

8 Section 425. Amend 14 Del. C. § 509(b)(1) by deleting the period after the word “year” as it
9 appears at the end of the seventh sentence therein and adding the following in lieu thereof: “, and does not
10 maintain the status of formal review or probation. The status of formal review or probation shall prompt
11 the Department of Education to advance a level of funding appropriate to pending administrative action.”

12 Section 426. Notwithstanding the provisions of 14 Del. C. §203, §604 or any sections of this Act
13 to the contrary, the Christina School District is authorized to operate the Sarah Pyle Academy as a special
14 program and charge tuition for the support of the Academy as provided in 14 Del. C. §604 during the
15 2005-2006 school year. The Academy shall operate as a one year, academic recovery, drop-out
16 prevention pilot at no additional cost to the State. This program shall be for the express purpose of
17 providing educational services for students in high school who are no less than 16 years of age, who have
18 less than five credits toward graduation, and have a documented family or personal situation that indicates
19 traditional school enrollment is not feasible. This program shall not be a discipline program as defined or
20 authorized by 14 Del. C. c. 16. An independent evaluation, with oversight by the Department of
21 Education, shall be conducted at the expense of the Christina School District. A final report shall be
22 provided to the Secretary of Education, the Director of the Office of Management and Budget, the
23 Controller General, and the Co-Chairs of the Joint Finance Committee by June 15, 2006.

24 Section 427. The Department of Education is hereby directed to relocate the Kent County
25 Learning Resource Center, previously sited at the Delaware Technical and Community College’s Terry
26 Campus, to the Collette Educational Resource Center. Further, for Fiscal Year 2006, the Learning
27 Resource Center shall retain its F.Y. 2005 funding level and employee complement.

SYNOPSIS

This Bill is the Fiscal Year 2006 Appropriation Act.

Author: Joint Finance Committee