



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

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 300

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

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

1            Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the  
2 proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2004, are hereby  
3 appropriated and authorized to be paid out of the Treasury of the State by the respective departments and divisions of  
4 State Government, and other specified spending agencies, subject to the limitations of this Act and to the provisions of  
5 Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the Delaware Code  
6 notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the last day of June 2004,  
7 shall not have been paid out of the State Treasury, shall revert to the General Fund, provided, however, that no funds shall  
8 revert which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

9            The several amounts hereby appropriated are as follows:

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# DEPARTMENTS

Year ending June 30, 2004

## (01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
1								
2								
3								
4								
5								
6				<b>(01-01-01) General Assembly - House</b>				
7			28.0	Personnel Costs				3,786.1
8				Travel				
9				Mileage - Legislators				58.2
10				Other - Travel				37.6
11				Contractual Services				400.0
12				Supplies and Materials				40.0
13				Capital Outlay				30.0
14				Other Items:				
15				Expenses - House Members				323.6
16			28.0	House Committee Expenses				30.0
17				<b>TOTAL -- General Assembly - House</b>				4,705.5
18								
19								
20			17.0	<b>(01-02-01) General Assembly - Senate</b>				
21				Personnel Costs				2,280.5
22				Travel				
23				Mileage - Legislative				52.3
24				Other - Travel				20.2
25				Contractual Services				192.0
26				Supplies and Materials				35.0
27				Capital Outlay				45.0
28				Other Items:				
29				Advertising - Senate Substance Abuse Committee				25.0
30				Expenses - Senate Members				175.1
31			17.0	Senate Committee Expenses				75.0
32				<b>TOTAL -- General Assembly - Senate</b>				2,900.1
33								
34								
35								
36				<b>(01-05-01) Commission on Interstate Cooperation</b>				
37				Travel				20.0
38				Legislative Travel				100.0
39				Contractual Services				40.0
40				Supplies and Materials				0.5
41				Other Items:				
42				Council of State Governments				94.6
43				Delaware River Basin Commission				392.0
44				National Conference of State Legislatures				84.7
45				Eastern Trade Council				3.0
46				Legislation for Gaming States				3.0
47				Interstate Agriculture Commission				25.0
				State and Local Legal Center, NCSL				2.0
				<b>TOTAL -- Commission on Interstate Cooperation</b>				764.8

(01-00-00) LEGISLATIVE

	Personnel				\$ Program		\$ Line Item	
	NSF	ASF	GF		ASF	GF	ASF	GF
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7			19.0					
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16			19.0					
17								
18								
19			14.0					
20								
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34			14.0					
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47								
48			33.0					
49								
50								
51			78.0					

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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(02-01-00) Supreme Court</b>				
11.3		27.0	Personnel Costs			9.5	2,274.0
			Travel			6.8	13.4
			Contractual Services			121.4	83.1
			Supplies and Materials			5.0	38.1
			Capital Outlay			6.7	
			Other Items:				
			Court on the Judiciary				1.0
11.3		27.0	<b>TOTAL -- Supreme Court</b>			149.4	2,409.6
		27.0	(-10) Supreme Court	149.4	2,409.6		
11.3			(-40) Reg-Arms of the Court				
11.3		27.0	<b>TOTAL -- Internal Program Units</b>	149.4	2,409.6		
			<b>(02-02-00) Court of Chancery</b>				
	21.0	26.0	Personnel Costs			394.7	2,106.6
			Travel			5.5	13.0
			Contractual Services			985.8	55.7
			Supplies and Materials			37.5	26.0
			Capital Outlay			35.0	
	21.0	26.0	<b>TOTAL -- Court of Chancery</b>			1,458.5	2,201.3
	21.0	26.0	(-10) Court of Chancery	1,458.5	2,201.3		
	21.0	26.0	<b>TOTAL -- Internal Program Unit</b>	1,458.5	2,201.3		
			<b>(02-03-00) Superior Court</b>				
6.0		279.0	Personnel Costs				15,226.4
			Travel				53.2
			Contractual Services				962.5
			Supplies and Materials				229.7
			Capital Outlay				56.0
6.0		279.0	<b>TOTAL -- Superior Court</b>				16,527.8
6.0		279.0	(-10) Superior Court		16,527.8		
6.0		279.0	<b>TOTAL -- Internal Program Unit</b>		16,527.8		
			<b>(02-06-00) Court of Common Pleas</b>				
1.0	4.0	123.0	Personnel Costs			163.2	6,552.7
			Travel				11.0
			Contractual Services				182.1
			Supplies and Materials				74.2
			Capital Outlay			4.0	7.1
1.0	4.0	123.0	<b>TOTAL -- Court of Common Pleas</b>			167.2	6,827.1
1.0	4.0	123.0	(-10) Court of Common Pleas	167.2	6,827.1		
1.0	4.0	123.0	<b>TOTAL -- Internal Program Unit</b>	167.2	6,827.1		

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

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Personnel		
NSF	ASF	GF

3.0	64.0	259.0
3.0	64.0	259.0

3.0	64.0	259.0
3.0	64.0	259.0

		242.5
		242.5

		242.5
		242.5

**(02-08-00) Family Court**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
**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	
ASF	GF

3,263.8	14,221.3
3,263.8	14,221.3

3,263.8	14,221.3
3,263.8	14,221.3

	13,463.9
	13,463.9

\$ Line Item	
ASF	GF

2,923.8	13,624.9
12.3	30.0
217.5	440.1
62.2	126.3
48.0	
3,263.8	14,221.3

	11,614.8
	9.4
	1,240.3
	93.2
	131.2
	12.5
	362.5
	13,463.9

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

4.0		76.5
4.0		76.5

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

	4,356.3
	32.5
	1,445.1
	19.6
	391.6
	220.9
	47.0
	13.3
424.8	
	1,587.8
	140.0
	275.1
	50.0
	193.9
	105.3
33.4	356.9
458.2	9,235.3

4.0		31.0
		8.0
		34.0
		3.5
4.0		76.5

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

458.2	5,433.9
	445.2
	2,882.6
	473.6
458.2	9,235.3



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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

	8.0	21.0
	8.0	21.0

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

439.7	1,167.0
29.0	25.4
82.7	130.3
9.0	22.8
6.0	1.6
	3.0
2,500.0	50.0
1.5	
3,067.9	1,400.1

	8.0	7.5
		7.5
		1.0
		5.0
	8.0	21.0

(-01) Office of the Public Guardian  
(-02) Violent Crimes Compensation Board  
(-03) Foster Care Review Board  
(-04) Educational Surrogate Parent Program  
(-05) Office of the Child Advocate  
**TOTAL -- Internal Program Units**

	418.8
3,067.9	
	455.9
	72.3
	453.1
3,067.9	1,400.1

<b>25.3</b>	<b>97.0</b>	<b>1,054.0</b>
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**TOTAL -- JUDICIAL**

<b>8,565.0</b>	<b>66,286.4</b>
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(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
	1.0	24.0
	1.0	24.0

(10-01-01) Office of the Governor

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

TOTAL -- Office of the Governor

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

(10-02-00) Office of the Budget

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Data Processing - Development Projects  
    Juvenile YRS  
    Budget Automation - Operations  
    Trans & Invest  
    Workers Compensation  
    Other Items  
Contingency:  
    One-Time Appropriations  
    Prior Years' Obligations  
    Self Insurance  
    Legal Fees  
    Evaluation Project  
    KIDS Count  
    Selective Market/Maintenance Reviews  
    Salary/OEC Contingency  
    Personnel Costs - Salary Shortage  
    Post Retirement Increase  
    Salary Contingency - Attorney General Pay Plan  
    Judicial Nominating Committee  
    Council of State Governments  
    Indigent Legal Aid  
    Livable Delaware  
    Great Beginnings  
    Elder Tax Relief and Education Expenses Fund  
    Tobacco Contingency  
    Tax Relief and Education Expenses Fund  
    Appropriated Special Funds  
Budget Commission  
Debt Service

TOTAL -- Office of the Budget

539.2	2,791.6
9.1	22.2
227.0	2,359.5
13.8	28.8
	4.0
	1,925.0
60.6	
	38.0
500.0	
16,147.2	
	17.0
	1,487.5
	450.0
	3,500.0
	2,400.0
	100.0
	100.0
	200.0
1,500.0	15,152.7
	400.0
	1,100.0
	250.0
	8.0
	50.0
	400.0
	100.0
	21.0
	10,636.1
250.0	
	17,500.0
23,000.0	
	50.0
	1,276.2
42,246.9	62,367.6

3.8	13.0	33.0
	9.0	27.0
	4.0	
3.8		6.0
3.8	13.0	33.0

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

1,228.9	6,044.0
16,207.4	1,978.6
24,750.0	53,755.3
	50.0
60.6	539.7
42,246.9	62,367.6

(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

(10-03-00) Delaware Economic Development Office  
(10-03-01) Office of the Director

		26.0
		26.0

Personnel Costs		1,596.3
Travel		23.6
Contractual Services		211.6
IT Grants	150.0	
Supplies and Materials		16.0
Capital Outlay		10.0
Blue Collar	1,500.0	
Welfare Reform		5.0
Workplace Literacy		5.0
Working Capital of Delaware		50.0
Debt Service		15.4
<b>TOTAL--Office of the Director</b>		<b>1,650.0 1,932.9</b>

(10-03-02) Delaware Tourism Office

	10.0	
	10.0	

Personnel Costs	522.0	
Travel	20.2	
Contractual Services	880.5	
Supplies and Materials	8.5	
Capital Outlay	10.0	
Other Items:		
Main Street	75.0	
Matching Grants and Grants	200.0	
Junior Miss	0.5	
Mother of the Year	0.8	
Young Mother of the Year	0.8	
Senior Miss Pageant	0.8	
Kalmar Nyckel	250.0	
Juneteenth	5.0	
National High School Wrestling Tournament	35.0	
Northeast Old Car Rally	2.5	
Flags and Pins	45.0	
<b>TOTAL -- Delaware Tourism Office</b>	<b>2,056.6</b>	

(10-03-03) Delaware Economic Development Authority

	4.0	15.0
	4.0	15.0

Personnel Costs	239.1	1,131.7
Travel	20.0	39.4
Contractual Services	634.0	
Supplies and Materials	10.0	14.9
Energy	1.5	
Capital Outlay	30.0	10.0
Other Items:		
Taiwan Trade Office	125.0	
Delaware Small Business Development Center	350.0	
Delaware Business Marketing Program	300.0	
International Trade		225.0
World Trade Center		105.0
Other Items		50.0
Debt Service		2,345.1
<b>TOTAL -- Delaware Economic Development Authority</b>	<b>1,709.6</b>	<b>3,921.1</b>

	14.0	41.0
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<b>TOTAL -- Delaware Economic Development Office</b>	<b>5,416.2</b>	<b>5,854.0</b>
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(10-00-00) EXECUTIVE

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Personnel		
NSF	ASF	GF
15.2	82.5	54.3
15.2	82.5	54.3

(10-04-00) Office of State Personnel

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			4,500.6	2,442.9
Travel			42.1	19.4
Contractual Services			3,942.2	530.0
Supplies and Materials			103.5	24.2
Capital Outlay			91.8	7.3
Other Items:				
First Quality Fund				150.0
School to Work				20.0
Flexible Benefits Administration			113.5	
Generic Aides/Handicapped Employees				337.7
Employee Recognition				13.6
Blue Collar			140.0	
Health Insurance-Retirees in Closed State				2,927.8
Police Plan				
Blood Bank Membership Dues				88.0
Pensions - Paraplegic Veterans				39.0
Pensions - IMS			500.0	
Retiree Conference			5.0	
Other Items			560.0	
Debt Service				
<b>TOTAL -- Office of State Personnel</b>			<b>9,998.7</b>	<b>6,599.9</b>

15.2	23.5	50.3
	4.0	4.0
	55.0	
15.2	82.5	54.3

(-02) Operations	1,599.6	3,109.5
(-04) Staff Development and Training	641.3	523.6
(-06) Pensions	7,757.8	2,966.8
<b>TOTAL -- Internal Program Units</b>	<b>9,998.7</b>	<b>6,599.9</b>

(10-05-00) Delaware Health Care Commission

		3.0	Personnel Costs		227.4
			Travel		20.1
			Contractual Services		79.5
			Supplies and Materials		6.5
			Capital Outlay		3.5
			Tobacco Fund:		
	1.0		Personnel Costs	57.1	
			Pilot Projects	500.0	
			Other Items:		
			Educational Programs		5.0
			Program Evaluation		15.1
			DIMER Operations		2,047.5
			DIDER Operations		248.0
	1.0	3.0	<b>TOTAL -- Delaware Health Care Commission</b>	<b>557.1</b>	<b>2,652.6</b>

	1.0	3.0
	1.0	3.0

(-01) Delaware Health Care Commission	557.1	357.1
(-02) Delaware Institute of Medical Education and Research		2,047.5
(-03) Delaware Institute of Dental Education and Research		248.0
<b>TOTAL -- Internal Program Units</b>	<b>557.1</b>	<b>2,652.6</b>

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

**(10-07-00) Criminal Justice**  
**(10-07-01) Criminal Justice Council**

14.2		12.8
14.2		12.8

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    SENTAC  
    Video Phone Fund  
    Domestic Violence Coordinating  
    Council  
    Other Grants  
TOTAL -- Criminal Justice Council

	740.8
	1.3
	25.6
	3.8
	8.9
155.4	23.1
	117.2
155.4	920.7

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

		10.0
		10.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Delaware Justice Information System

	640.6
	3.8
	327.5
	14.9
	986.8

14.2		22.8
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**TOTAL -- Criminal Justice**

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

6.0	44.0	
6.0	44.0	

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

2,375.8	
106.5	
911.2	
61.2	
110.8	
20.0	
100.0	
155.0	
755.0	
28,800.0	3,304.0
500.0	
1,665.0	
	338.9
35,560.5	3,642.9

39.2	155.5	178.1
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**TOTAL -- EXECUTIVE**

94,114.4	85,093.1
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**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(11-01-00) Office of the Chief Information Officer</b>			
		4.0				463.1
						3.9
						320.0
						1.0
						20.0
		4.0	<b>TOTAL -- Office of the Chief Information Officer</b>			808.0
		4.0				
		4.0		808.0		
		4.0		808.0		
			<b>(11-02-00) Technology Office</b>			
	7.5	84.5			320.0	6,093.6
					75.0	26.0
					5,575.0	600.0
					15.0	9.0
					40.0	
					2,240.0	524.0
	7.5	84.5	<b>TOTAL -- Technology Office</b>		8,265.0	7,252.6
		1.0				
	2.0	38.0		157.8		
	2.5	22.5	2,620.0	3,138.0		
	3.0	23.0	1,010.0	1,707.2		
	7.5	84.5	4,635.0	2,249.6		
			8,265.0	7,252.6		
			<b>(11-03-00) Operations Office</b>			
	6.5	87.5			390.6	6,262.0
					39.7	36.6
					11,590.0	1,611.7
						268.2
					87.0	352.5
					98.6	9.3
						103.8
					1,711.5	11,258.8
	6.5	87.5	<b>TOTAL -- Operations Office</b>		13,917.4	19,902.9
		1.0				
	3.5	20.5	10,021.0	132.5		
		15.0	857.4	2,988.8		
	3.0	51.0		940.7		
	6.5	87.5	3,039.0	15,840.9		
			13,917.4	19,902.9		

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

**(11-04-00) Project Management Office - Major Projects**

	2.0	18.0
	2.0	18.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Rental

155.3	1,225.7
	7.4
	75.0
	1.8
	1.0
	35.0
155.3	1,345.9

**TOTAL -- Project Management Office - Major Projects**

		1.0
	2.0	12.0
		5.0
	2.0	18.0

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

	252.7
75.3	936.6
80.0	156.6
155.3	1,345.9

	<b>16.0</b>	<b>194.0</b>
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**TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION**

<b>22,337.7</b>	<b>29,309.4</b>
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**(12-00-00) OTHER ELECTIVE**

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Personnel		
NSF	ASF	GF
		6.0
		6.0

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

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

**TOTAL -- Lieutenant Governor**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			385.5
			6.3
			22.8
			2.8
			7.7
			425.1

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

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

	6.0	36.0
	6.0	36.0

	362.7	2,131.2
	5.0	20.4
	309.9	371.2
	8.4	12.9
	5.4	29.9
	691.4	2,565.6

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

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

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

	25.0	
	25.0	

	1,684.8	
	29.4	
	259.8	
	6.8	
	22.4	
	10.5	
	2,013.7	

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

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

2.0	52.0	
2.0	52.0	

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

**TOTAL -- Insurance Commissioner**

2.0	77.0	
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	18,736.9	
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(15-00-00) LEGAL

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Personnel		
NSF	ASF	GF
39.4	50.9	261.6
	2.0	
39.4	52.9	261.6

(15-01-01) Office of Attorney General

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

**TOTAL -- Office of Attorney General**

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

(15-02-01) Public Defender

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay

**TOTAL -- Public Defender**

4.0	1.0	127.0
4.0	1.0	127.0

49.2	9,355.6
	1.7
	567.2
	7.4
	57.3
	3.8
49.2	9,993.0

(15-03-01) Board of Parole

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

**TOTAL -- Board of Parole**

		7.0
		7.0

	353.8
	12.2
	22.7
	3.3
	392.0

43.4	53.9	395.6
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**TOTAL -- LEGAL**

5,480.5	28,605.1
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(20-00-00) DEPARTMENT OF STATE

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Personnel		
NSF	ASF	GF
	8.0	30.0
	8.0	30.0

(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
		492.2	1,418.1
		35.7	30.2
		795.0	213.9
			36.1
		105.1	97.0
		164.4	
			297.0
			72.0
		1,592.4	2,164.3

	8.0	5.0
		5.0
		10.0
		7.0
		3.0
	8.0	30.0

(-01) Administration  
(-02) Delaware Commission on Veterans Affairs  
(-03) Delaware Veterans Memorial Cemetery  
(-04) Veterans Cemetery Georgetown  
(-05) Delaware Heritage Commission

**TOTAL -- Internal Program Units**

1,481.4	495.2
	394.0
90.0	697.7
21.0	391.5
	185.9
1,592.4	2,164.3

(20-02-00) Office of Human Relations

1.0		9.0
1.0		9.0

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

**TOTAL -- Office of Human Relations**

	435.5
	5.2
	20.5
	1.5
10.0	
10.0	462.7

1.0		9.0
1.0		9.0

(-01) Office of Human Relations

**TOTAL -- Internal Program Unit**

10.0	462.7
10.0	462.7

(20-03-00) Delaware Public Archives

	7.0	32.0
	7.0	32.0

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

**TOTAL -- Delaware Public Archives**

349.7	1,422.3
4.0	1.8
21.6	164.2
15.0	88.0
7.5	30.1
	20.0
	25.0
	1,012.0
397.8	2,763.4

	7.0	32.0
	7.0	32.0

(-01) Delaware Public Archives

**TOTAL -- Internal Program Unit**

397.8	2,763.4
397.8	2,763.4

(20-00-00) DEPARTMENT OF STATE

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(20-05-00) Corporations</b>	
	93.0				4,738.1	
					20.0	
					1,876.2	
					66.6	
					360.0	
					165.0	
					3,000.0	
	93.0		<b>TOTAL -- Corporations</b>		10,225.9	
	93.0		(-01) Corporations		10,225.9	
	93.0		TOTAL -- Internal Program Unit		10,225.9	
					<b>(20-06-00) Historical and Cultural Affairs</b>	
6.9	1.5	41.6			81.3	2,013.1
						5.2
						233.7
						211.5
						69.8
						14.5
						15.0
					20.4	30.0
						15.0
						37.0
					70.2	
					1.0	
					13.0	
					85.5	
					1.5	
					3.0	
					10.0	
					9.5	
					19.6	
						236.9
6.9	1.5	41.6	<b>TOTAL -- Historical and Cultural Affairs</b>		315.0	2,881.7
	1.0	6.0	(-01) Office of Administration		173.3	551.6
6.4		5.6	(-03) Delaware State Historic Preservation Office			296.7
0.5	0.5	30.0	(-04) Delaware State Museums		141.7	2,033.4
6.9	1.5	41.6	TOTAL -- Internal Program Units		315.0	2,881.7

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(20-07-00) Arts</b>	
3.0		6.0				350.1
						2.4
						70.0
						3.0
						1,191.6
						10.0
3.0		6.0				1,627.1
					<b>(-01) Office of the Director</b>	
3.0		6.0		1,627.1		
3.0		6.0		1,627.1		
					<b>(20-08-00) Libraries</b>	
9.0		12.0				580.3
						4.0
						153.7
						8.7
						21.6
						7.0
						2,869.5
						390.0
						100.0
						15.0
						630.9
9.0		12.0				4,780.7
					<b>(-01) Libraries</b>	
9.0		12.0		4,780.7		
9.0		12.0		4,780.7		
					<b>(20-15-00) State Banking Commission</b>	
	36.0				2,286.8	
					59.0	
					362.0	
					25.0	
					67.5	
	36.0				2,800.3	
					<b>(-01) State Banking Commission</b>	
	36.0		2,800.3			
	36.0		2,800.3			
<b>19.9</b>	<b>145.5</b>	<b>130.6</b>			<b>15,341.4 14,679.9</b>	
					<b>TOTAL -- DEPARTMENT OF STATE</b>	



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

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<b>Personnel</b>				<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>		<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(25-07-00) State Lottery Office</b>				
	30.0		Personnel Costs			1,680.5	
			Travel			50.0	
			Contractual Services			41,353.6	
			Supplies and Materials			47.9	
			Capital Outlay			217.0	
	30.0		<b>TOTAL -- State Lottery Office</b>			43,349.0	
	30.0		(-01) State Lottery Office	43,349.0			
	30.0		<b>TOTAL -- Internal Program Unit</b>	43,349.0			
	<b>36.0</b>	<b>260.0</b>	<b>TOTAL -- DEPARTMENT OF FINANCE</b>			<b>46,859.5</b>	<b>17,159.4</b>

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

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Personnel		
NSF	ASF	GF
5.0	3.0	30.0
5.0	3.0	30.0

**(30-01-00) Administration**

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

**TOTAL -- Administration**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		196.6	1,891.3
		2.6	21.4
		12.5	192.9
		6.0	31.8
		21.2	3.8
			65.0
			0.7
		238.9	2,206.9

	3.0	22.0
5.0		1.0
		2.0
		4.0
		1.0
5.0	3.0	30.0

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

238.9	1,485.6
	98.8
	164.4
	330.3
	127.8
238.9	2,206.9

**(30-03-00) Regulation and Licensing**

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

**TOTAL -- Regulation and Licensing**

	58.0	
	58.0	

3,630.9	
110.9	
2,702.9	
66.9	
190.4	
10.0	
54.5	
15.0	
6,781.5	

	23.0	
	31.0	
	4.0	
	58.0	

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

2,513.3	
3,689.1	
579.1	
6,781.5	



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

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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(30-04-00) Support Services</b>				
2.0	59.0	32.5	Personnel Costs			2,472.5	1,443.8
			Travel			14.1	1.7
			Contractual Services			4,406.0	295.0
			Energy			4.7	22.3
			Supplies and Materials			1,713.0	28.8
			Capital Outlay			4,509.3	2.6
			Other Items:				
			Food Processing			613.8	
2.0	59.0	32.5	<b>TOTAL -- Support Services</b>			13,733.4	1,794.2
		9.0	(-10) Mail/Courier Services	2,199.3	417.4		
	18.0		(-30) Printing and Publishing	1,981.5			
	32.0		(-40) Fleet Management	8,280.3			
		5.5	(-50) Service and Information Guide	72.7	379.3		
		14.0	(-60) Contracting	100.0	780.0		
	5.0		(-70) Delaware Surplus Services	294.4			
2.0	4.0	4.0	(-80) Food Distribution	805.2	217.5		
2.0	59.0	32.5	<b>TOTAL -- Internal Program Units</b>	13,733.4	1,794.2		
			<b>(30-05-00) Facilities Management</b>				
	3.0	89.0	Personnel Costs			130.4	4,052.1
			Travel			24.9	
			Contractual Services			184.8	7,773.7
			Energy				5,087.2
			Supplies and Materials			221.1	1,641.8
			Capital Outlay			121.4	
			Debt Service				20,484.8
	3.0	89.0	<b>TOTAL -- Facilities Management</b>			682.6	39,039.6
	3.0	89.0	(-10) Facilities Management	682.6	39,039.6		
	3.0	89.0	<b>TOTAL -- Internal Program Unit</b>	682.6	39,039.6		
			<b>TOTAL -- DEPARTMENT OF ADMINISTRATIVE SERVICES</b>			<b>21,436.4</b>	<b>43,040.7</b>
<b>7.0</b>	<b>123.0</b>	<b>151.5</b>					

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

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Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

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

53.4	35.6	423.7
53.4	35.6	423.7

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

1,237.9	17,501.2
12.7	4.6
785.9	4,153.1
98.5	878.5
215.0	21.2
269.2	
232.8	
	20.0
	570.4
879.8	
	1,932.7
3,731.8	25,212.6

**TOTAL -- Administration**

	1.0	8.0
53.4	34.6	134.6
		281.1
53.4	35.6	423.7

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

150.8	600.4
2,701.2	10,211.0
879.8	14,401.2
3,731.8	25,212.6

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

		36.0
	1.0	
	1.0	36.0

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

	2,400.3
	13.1
	172.6
	73.6
	499.2
	38.6
	86.1
	3,283.5

**TOTAL -- Medical Examiner**

	1.0	36.0
	1.0	36.0

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

	3,283.5
	3,283.5

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

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Personnel		
NSF	ASF	GF
230.7	53.8	1,228.1
230.7	53.8	1,228.1

**(35-05-00) Public Health**

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			238.0	53,945.0
Travel				19.9
Contractual Services			500.0	7,320.8
Energy				1,318.9
Supplies and Materials			60.0	3,639.7
Capital Outlay				119.1
Tobacco Fund:				
Personnel Costs			169.0	
Contractual Services			9,400.5	
Disease Cost Containment			500.0	
New Nurse Development			1,297.1	
Supplies and Materials			0.5	
Capital Outlay			83.1	
Other Items:				
Long-Term Care Prospective Payment			114.0	
Rodent Control				50.0
Tuberculosis			15.0	
Sexually Transmitted Diseases			105.0	
Child Development Watch			550.0	
Preschool Diagnosis and Treatment			100.0	78.0
Home Visits			20.0	
Immunizations				256.5
School Based Health Centers			80.0	4,651.8
Hepatitis B				40.0
AIDS				128.2
Rabies Control				64.6
Office of Narcotics & Dangerous Drugs				40.0
Child Health			850.0	
Vanity Birth Certificates			14.7	
Public Water			60.0	
Medicaid Enhancements			205.0	
Infant Mortality			150.0	
Medicaid AIDS Waiver			1,500.0	
Children with Special Needs			45.0	
Family Planning			325.0	
Newborn			1,200.0	
Indirect Costs			431.4	
Food Inspection			21.0	
Food Permits			400.0	
Medicaid Contractors/Lab Testing & Analysis			160.0	
Water Operator Certification			22.0	
IV Therapy			559.0	
Health Statistics			1,200.0	
Debt Service				46.8
<b>TOTAL -- Public Health</b>			<b>20,375.3</b>	<b>71,719.3</b>

3.0	9.0	48.0
225.7	44.8	305.1
2.0		9.0
		564.0
		166.0
		136.0
230.7	53.8	1,228.1

(-10) Director's Office/Support Services	1,620.9	3,074.4
(-20) Community Health	17,947.9	24,903.5
(-30) Emergency Medical Services	133.5	1,312.7
(-40) Delaware Hospital for the Chronically Ill	528.6	27,768.7
(-50) Emily Bissell	144.4	8,254.1
(-60) Governor Bacon		6,405.9
<b>TOTAL -- Internal Program Units</b>	<b>20,375.3</b>	<b>71,719.3</b>

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

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<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
			<b>(35-06-00) Substance Abuse and Mental Health</b>			
19.8	8.0	785.4			364.9	36,990.8
						20.8
					1,438.3	27,650.1
						836.8
					100.6	4,389.2
					9.0	184.0
					200.0	
					500.0	
						1,564.6
						9.9
						28.2
						536.9
19.8	8.0	785.4	<b>TOTAL -- Substance Abuse and Mental Health</b>		2,612.8	72,211.3
17.0		34.0	(-10) Administration	60.0	2,223.4	
1.0		122.0	(-20) Community Mental Health	1,100.0	23,902.7	
0.8	1.0	594.4	(-30) Delaware Psychiatric Center	168.0	35,677.4	
1.0	7.0	35.0	(-40) Substance Abuse	1,284.8	10,407.8	
19.8	8.0	785.4	<b>TOTAL -- Internal Program Units</b>		2,612.8	72,211.3

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

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Personnel		
NSF	ASF	GF
310.3	2.0	278.7
310.3	2.0	278.7

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs				12,807.9
Travel				9.1
Contractual Services				6,098.4
Energy				53.0
Supplies and Materials				103.9
Capital Outlay				82.9
Tobacco Fund:				
Prescription Drug Program			7,500.5	
Former SSI Beneficiaries			1,485.0	
Medicaid Non-State			988.7	
SSI Supplement			1,091.3	
Legal Non-Citizen Health Care			790.0	
Other Items:				
Cost Recovery			150.2	
Early Intervention			249.0	2,168.8
General Assistance				2,931.1
TANF Cash Assistance			500.0	2,282.4
Child Care				23,718.3
Emergency Assistance				798.9
Employment and Training				2,499.8
Medicaid - State				27,610.0
Medicaid - Non-State			16,400.0	310,945.8
Delaware Healthy Children Program				1,753.1
Delaware Healthy Children Program Premiums			500.0	
Delaware Healthy Children Program - DSCYF			585.2	
Renal				1,450.0
<b>TOTAL -- Social Services</b>			<b>30,239.9</b>	<b>395,313.4</b>

310.3	2.0	278.7
310.3	2.0	278.7

(-01) Social Services	30,239.9	395,313.4
<b>TOTAL -- Internal Program Unit</b>	<b>30,239.9</b>	<b>395,313.4</b>

<b>NSF</b>
32,291.0

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

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

	Personnel		\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	GF
Personnel Costs						2,048.9
Travel						3.1
Contractual Services					1.5	427.2
Energy						51.2
Supplies and Materials						78.2
Capital Outlay					4.0	39.1
Other Items:						
BEP Unassigned Vending						175.0
BEP Independence						450.0
BEP Vending						425.0
<b>TOTAL -- Visually Impaired</b>					<b>1,159.5</b>	<b>2,647.7</b>

26.6	3.0	40.4
26.6	3.0	40.4

(-01) Visually Impaired Services	1,159.5	2,647.7
<b>TOTAL -- Internal Program Unit</b>	<b>1,159.5</b>	<b>2,647.7</b>

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-09-00) Long Term Care Residents Protection</b>			
19.9		43.1				2,175.6
						12.3
						559.4
						7.8
						15.8
						20.3
19.9		43.1	<b>TOTAL -- Long Term Care Residents Protection</b>			2,791.2
19.9		43.1	(-01) Long Term Care Residents Protection			2,791.2
19.9		43.1	<b>TOTAL -- Internal Program Unit</b>			2,791.2
			<b>(35-10-00) Child Support Enforcement</b>			
141.0	27.2	45.8			1,114.1	1,967.3
					5.7	3.9
					401.5	376.0
					20.0	9.3
					23.0	9.8
					27.9	2.1
			Other Items:			
					25.0	
141.0	27.2	45.8	<b>TOTAL -- Child Support Enforcement</b>		1,617.2	2,368.4
141.0	27.2	45.8	(-01) Child Support Enforcement		1,617.2	2,368.4
141.0	27.2	45.8	<b>TOTAL -- Internal Program Unit</b>		1,617.2	2,368.4
			<b>(35-11-00) Developmental Disabilities Services</b>			
3.0	1.0	686.6			30.3	30,450.1
						22.6
					1,300.0	3,977.9
						516.1
						1,255.8
						146.6
			Other Items:			
						30.0
						9.6
					150.0	
					1,108.0	17,959.9
						4,955.5
						526.2
						16.0
3.0	1.0	686.6	<b>TOTAL -- Mental Retardation</b>		2,588.3	59,866.3
3.0	1.0	62.0	(-10) Administration		30.3	3,370.7
		471.0	(-20) Stockley Center		150.0	24,609.3
		153.6	(-30) Community Services		2,408.0	31,886.3
3.0	1.0	686.6	<b>TOTAL -- Internal Program Units</b>		2,588.3	59,866.3

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

25.0		109.6
25.0		109.6

				Personnel Costs			4,711.1
				Travel		7.8	6.1
				Contractual Services		419.7	1,575.5
				Energy		54.2	543.3
				Supplies and Materials		64.1	58.3
				Capital Outlay		39.8	17.3
				Other Items:			
				Family Support			370.4
				Kent County RSVP			29.4
				Community Food Program			125.5
				Emergency Assistance			1,583.1
				Kinship Care			50.0
				Hispanic Affairs			50.0
				Debt Service			268.4
				<b>TOTAL -- State Service Centers</b>		<b>585.6</b>	<b>9,388.4</b>

10.3		75.3
8.0		2.0
6.7		18.3
25.0		109.6

				(-10) Family Support			3,681.8
				(-20) Service Center Management	585.6		2,002.7
				(-30) Community Services			1,973.1
				(-40) Volunteer Services			1,730.8
				<b>TOTAL -- Internal Program Units</b>	<b>585.6</b>		<b>9,388.4</b>

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

51.9		62.3
51.9		62.3

				Personnel Costs			3,049.2
				Travel			5.0
				Contractual Services			4,716.4
				Energy			12.4
				Supplies and Materials			47.0
				Capital Outlay			5.8
				Tobacco Fund:			
				Assisted Living		351.2	
				Other Items:			
				Community Services		261.0	3.0
				Nutrition Program			589.9
				Long Term Care			249.1
				<b>TOTAL -- Services for Aging and Adults with Physical Disabilities</b>		<b>612.2</b>	<b>8,677.8</b>

51.9		62.3
51.9		62.3

				(-01) Services for Aging and Adults with Physical Disabilities	612.2		8,677.8
				<b>TOTAL -- Internal Program Unit</b>	<b>612.2</b>		<b>8,677.8</b>

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

<b>881.6</b>	<b>131.6</b>	<b>3,739.7</b>
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<b>63,522.6</b>	<b>653,479.9</b>
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**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

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Personnel		
NSF	ASF	GF
28.6	33.5	126.2
28.6	33.5	126.2

**(37-01-00) Management Support Services**

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

**TOTAL -- Management Support Services**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,637.7	7,372.8
		19.7	7.1
		1,028.0	1,322.6
		64.9	176.5
		27.0	26.3
			362.3
		187.0	
		102.1	
		100.0	43.3
			207.9
		3,166.4	9,518.8

4.0	8.0	21.0
	1.0	2.0
10.3	8.5	20.7
2.0	3.0	21.0
	2.0	13.0
	6.0	41.5
12.3	5.0	7.0
28.6	33.5	126.2

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

**TOTAL -- Internal Program Units**

504.7	1,376.7
741.9	485.7
427.1	1,047.5
311.5	1,842.4
131.7	797.1
439.0	3,067.0
610.5	902.4
3,166.4	9,518.8

**(37-04-00) Child Mental Health Services**

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

**TOTAL -- Child Mental Health Services**

8.0	21.0	182.6
8.0	21.0	182.6

1,178.2	10,268.0
8.4	11.9
10,155.3	9,666.7
	189.2
22.7	260.6
2.0	9.7
	588.5
16.0	
11,382.6	20,994.6

8.0	21.0	78.1
		37.5
		67.0
8.0	21.0	182.6

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

**TOTAL -- Internal Program Units**

1,586.0	5,391.0
3,683.8	6,711.4
6,112.8	8,892.2
11,382.6	20,994.6



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

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Personnel		
NSF	ASF	GF
15.0	21.0	352.1
15.0	21.0	352.1

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

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

**TOTAL -- Youth Rehabilitative Services**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,100.6	17,689.7
		10.5	18.1
		2,398.5	13,557.5
			485.0
		84.0	735.7
			17.5
			2,585.3
		3,593.6	35,088.8

6.0		10.1
9.0	6.0	87.5
	15.0	254.5
15.0	21.0	352.1

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

1.1	624.9
2,204.0	16,604.5
1,388.5	17,859.4
3,593.6	35,088.8

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

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

**TOTAL -- Family Services**

112.9	29.5	303.0
112.9	29.5	303.0

1,511.9	15,276.6
26.1	2.2
2,598.9	1,141.0
	9.7
26.5	72.2
6.0	14.3
	11,076.9
	894.4
	31.0
313.3	
4,482.7	28,518.3

24.9	1.5	56.6
78.0	4.0	17.0
1.0	12.0	96.4
9.0	12.0	133.0
112.9	29.5	303.0

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

985.9	4,313.7
348.9	1,343.8
596.4	5,343.0
2,551.5	17,517.8
4,482.7	28,518.3

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

<b>164.5</b>	<b>105.0</b>	<b>963.9</b>
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<b>22,625.3</b>	<b>94,120.5</b>
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**(38-00-00) DEPARTMENT OF CORRECTION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(38-01-00) Administration</b>	
		268.0				13,066.4
						15.8
					25.0	1,224.7
						61.9
						6,465.0
						25.0
						22,226.5
						80.0
						3,909.4
						15.4
						3,098.3
						1,501.1
						96.0
		268.0			25.0	51,785.5
					<b>TOTAL -- Administration</b>	
		15.0	25.0	1,051.9		
		50.0		2,588.6		
		45.0		4,691.4		
		80.0		10,461.0		
				22,306.5		
				3,909.4		
		78.0		6,776.7		
		268.0	25.0	51,785.5		
					<b>TOTAL -- Internal Program Units</b>	

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(38-04-00) Prisons</b>			
	12.0	1,734.6			742.0	79,099.1
					9.0	12.3
					848.4	2,946.6
					10.2	4,345.0
					1,322.2	2,994.5
					177.0	
						1,015.5
					200.0	
						19.0
						42.3
						53.0
						23.0
						13,143.6
	12.0	1,734.6	<b>TOTAL -- Prisons</b>		3,308.8	103,693.9
		9.0		1,857.5		
		25.0	1.0	1,424.2		
		738.0	1.0	45,993.2		
		401.0		21,311.4		
		97.0	2.7	5,756.7		
		377.0		20,589.2		
		53.0		4,388.4		
	7.0	14.0	1,644.7	790.1		
	5.0	5.0	1,658.4	258.5		
		15.6	1.0	1,324.7		
	12.0	1,734.6	3,308.8	103,693.9		
			<b>(38-06-00) Community Corrections</b>			
		574.0				28,703.9
						23.6
					374.0	3,054.9
						409.1
					25.0	503.2
						26.4
						1,122.2
		574.0	<b>TOTAL -- Community Corrections</b>		399.0	33,843.3
		16.0		1,340.4		
		311.0	344.0	18,112.1		
		39.0		2,384.8		
		44.0	1.0	2,738.9		
		32.0	50.0	1,948.8		
		42.0	4.0	2,256.3		
		42.0		2,707.9		
		48.0		2,354.1		
		574.0	399.0	33,843.3		
	12.0	2,576.6	<b>TOTAL -- DEPARTMENT OF CORRECTION</b>		3,732.8	189,322.7

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

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Personnel		
NSF	ASF	GF
7.0	28.4	45.6
7.0	28.4	45.6

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

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

**TOTAL -- Office of the Secretary**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		1,382.7	2,958.8
		15.9	14.6
		291.8	84.2
		35.0	261.4
		72.8	48.6
		7.2	
		20.0	
		15.0	
		55.0	
		105.0	
		314.7	1,216.1
			1.5
		850.0	
			17.0
		3,165.1	4,602.2

3.4	26.4	35.2
1.0	2.0	4.0
		5.0
2.6		1.4
7.0	28.4	45.6

(-01) Office of the Secretary  
(-02) Planning and Compliance Assistance  
(-03) Boiler Safety  
(-04) Energy Office  
**TOTAL -- Internal Program Units**

2,216.4	3,969.7
98.7	275.7
	288.1
850.0	68.7
3,165.1	4,602.2

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

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

**TOTAL -- Fish and Wildlife**

31.2	34.4	60.4
31.2	34.4	60.4

1,348.3	3,674.5
22.5	12.3
745.7	1,274.7
1.5	93.3
385.3	202.0
1,571.5	
	389.9
65.0	
50.0	
19.0	197.0
32.4	
180.0	
50.0	
130.0	
600.0	
10.0	
40.0	
277.5	
15.0	
	47.0
5,543.7	5,890.7

	1.0	1.5
26.6	29.4	16.0
0.5	0.5	17.0
4.1	3.5	25.9
31.2	34.4	60.4

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

125.2	205.7
4,107.6	1,495.1
357.1	1,592.7
219.5	836.9
734.3	1,760.3
5,543.7	5,890.7

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

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Personnel		
NSF	ASF	GF
1.0	64.0	101.0
1.0	64.0	101.0

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

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Killens Pond Water Park  
    Marina Fuel Sales  
    Other Items  
Debt Service

**TOTAL -- Parks and Recreation**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		4,692.5	5,298.4
		30.8	5.2
		1,639.3	785.9
		37.9	393.4
		853.1	268.4
		246.1	
		440.0	
		555.0	
		706.5	
			1,386.6
		9,201.2	8,137.9

	3.0	10.0
	45.0	45.0
	9.0	9.0
1.0	6.0	14.0
	1.0	23.0
1.0	64.0	101.0

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

199.5	496.8
6,995.6	4,016.7
1,196.0	495.3
715.4	1,069.7
94.7	2,059.4
9,201.2	8,137.9

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

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

**TOTAL -- Soil and Water Conservation**

15.8	2.5	45.7
15.8	2.5	45.7

110.8	2,654.6
5.0	5.9
1,221.9	839.9
	14.7
44.0	201.6
39.0	
	162.5
6,600.0	
	95.0
	225.0
	718.3
8,020.7	4,917.5

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

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

160.0	324.4
10.0	1,454.6
7,669.5	1,725.9
171.2	1,346.2
10.0	66.4
8,020.7	4,917.5

\*Pursuant to Section 3921, Title 7, Delaware Code

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

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Personnel		
NSF	ASF	GF
29.3	62.7	68.0
29.3	62.7	68.0

**(40-08-00) Water Resources**

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

**TOTAL -- Water Resources**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,392.7	4,196.2
		38.0	40.2
		716.0	1,413.0
		1.0	9.0
		219.0	91.9
		241.0	40.0
			102.3
			38.0
		65.1	
			280.5
		300.0	
		14.0	
			1,683.6
		3,986.8	7,894.7

11.3	10.5	8.2
0.5	24.5	16.0
2.0	8.0	6.0
5.0	12.0	8.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
29.3	62.7	68.0

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

**TOTAL -- Internal Program Units**

776.6	3,004.3
1,489.8	1,092.2
473.9	513.7
704.3	473.1
254.8	454.5
	2,014.4
287.4	342.5
3,986.8	7,894.7

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

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Personnel		
NSF	ASF	GF
57.0	94.7	53.3
57.0	94.7	53.3

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

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
		2,895.2	3,583.6
		78.0	15.3
		1,120.0	270.4
		10.0	91.7
		335.9	86.3
		242.0	4.9
		300.0	
		1,200.0	
		7,960.5	
		100.0	
		30.0	14.4
		525.8	
		350.0	
		100.0	
		54.8	
		180.9	
		164.8	
		141.2	
		50.0	
			50.0
		834.8	
			4.1
		16,673.9	4,120.7

4.0	13.5	15.5
16.3	47.9	18.8
36.7	33.3	19.0
57.0	94.7	53.3

(-01) Management and Support - Air and Waste
(-02) Air Quality Management
(-03) Waste Management
<b>TOTAL -- Internal Program Units</b>

2,074.0	1,282.5
3,761.5	1,434.6
10,838.4	1,403.6
16,673.9	4,120.7

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

<b>141.3</b>	<b>286.7</b>	<b>374.0</b>
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<b>46,591.4</b>	<b>35,563.7</b>
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**(45-00-00) DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(45-01-00) Office of the Secretary</b>			
28.3	3.0	50.7			202.3	2,871.8
						8.0
					116.4	558.0
						45.9
						0.1
					0.7	
						15.0
						112.1
						50.0
						15.0
					244.5	
					100.0	
					85.0	
						525.4
28.3	3.0	50.7	<b>TOTAL -- Office of the Secretary</b>		748.9	4,201.3
		19.0	100.0	1,488.1		
	3.0	21.0	648.9	1,610.9		
23.8		8.2		955.3		
4.5		2.5		147.0		
28.3	3.0	50.7	748.9	4,201.3		
			<b>(45-02-00) Capitol Police</b>			
		63.0				2,439.7
						4.5
						200.8
						30.0
						30.9
		63.0	<b>TOTAL -- Capitol Police</b>			2,705.9
		63.0		2,705.9		
		63.0	<b>TOTAL -- Internal Program Unit</b>			2,705.9
			<b>(45-03-00) Office of the Alcoholic Beverage Control Commissioner</b>			
		7.0				421.0
					2.0	5.0
					46.4	16.6
						4.0
		7.0	<b>TOTAL -- Office of the Alcoholic Beverage Control Commissioner</b>		48.4	446.6
		7.0	48.4	446.6		
		7.0	<b>TOTAL -- Internal Program Unit</b>		48.4	446.6



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

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<b>Personnel</b>			<b>\$ Program</b>		<b>\$ Line Item</b>	
<b>NSF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>	<b>ASF</b>	<b>GF</b>
<b>(45-04-00) Division of Alcoholic Beverage Control and Tobacco Enforcement</b>						
	2.0	13.0			50.2	675.7
					2.8	3.4
					43.3	94.6
					2.3	12.1
					2.0	3.0
	4.0				168.9	
					10.0	
					84.0	
					67.1	
					169.0	
					10.0	
	6.0	13.0			609.6	788.8
<b>TOTAL -- Division of Alcoholic Beverage Control and Tobacco Enforcement</b>						
	6.0	13.0			609.6	788.8
	6.0	13.0			609.6	788.8
<b>TOTAL -- Internal Program Unit</b>						
<b>(45-06-00) State Police</b>						
30.2	39.5	764.3			4,521.5	55,692.6
					146.8	43.3
					699.3	2,763.1
					658.3	1,935.5
					67.0	1,309.8
					87.5	
						50.0
						19,420.0
						75.0
						15.0
						90.0
						1,457.2
30.2	39.5	764.3			6,180.4	82,851.5
<b>TOTAL -- State Police</b>						
		59.0	2,779.6	24,232.7		
		8.0		1,553.2		
	13.0	318.0	1,268.1	26,099.2		
26.0		148.0		11,919.2		
	7.0	37.0	731.7	3,503.3		
		22.0		2,621.3		
4.2	1.0	12.8	37.2	897.0		
	15.0	34.0	1,007.7	1,852.8		
		12.0	14.0	1,433.1		
	3.5	88.5	167.4	5,089.6		
		14.0	174.7	2,944.8		
		11.0		705.3		
30.2	39.5	764.3	6,180.4	82,851.5		
<b>TOTAL - Internal Program Units</b>						
<b>TOTAL -- DEPARTMENT OF SAFETY AND HOMELAND SECURITY</b>					<b>7,587.3</b>	<b>90,994.1</b>
<b>58.5</b>	<b>48.5</b>	<b>898.0</b>				

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

<b>Personnel</b>				<b>\$ Line Item</b>
<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	11.0		Personnel Costs	806.3
			Operations/Capital	29.7
			Salary Contingency	161.0
	11.0		<b>TOTAL -- Office of the Secretary</b>	<b>997.0</b>
			<b>(55-01-02) Finance</b>	
1.0	37.0		Personnel Costs	2,154.7
			Operations/Capital	515.8
1.0	37.0		<b>TOTAL -- Finance</b>	<b>2,670.5</b>
			<b>(55-01-03) Public Relations</b>	
	14.0		Personnel Costs	751.3
			Operations/Capital	113.3
	14.0		<b>TOTAL -- Public Relations</b>	<b>864.6</b>
			<b>(55-01-04) Human Resources</b>	
	19.0		Personnel Costs	1,004.3
			Travel	2.3
			Capital Outlay	1.0
			Contractual/Supplies	377.4
	19.0		<b>TOTAL -- Human Resources</b>	<b>1,385.0</b>
1.0	81.0		<b>TOTAL-- Office of the Secretary</b>	<b>5,917.1</b>
			<b>(55-02-00) Technology and Support Services</b>	
			<b>(55-02-01) Administration</b>	
2.0	36.0		Personnel Costs	1,789.5
			Travel	25.7
			Energy	438.9
			Capital Outlay	18.0
			Contractual/Supplies	1,659.4
2.0	36.0		<b>TOTAL -- Administration</b>	<b>3,931.5</b>
			<b>(55-02-03) Office of Information Technology</b>	
	50.0		Personnel Costs	3,247.4
			Travel	25.3
			Capital Outlay	722.4
			Contractual/Supplies	5,016.1
	50.0		<b>TOTAL -- Office of Information Technology</b>	<b>9,011.2</b>
2.0	86.0		<b>TOTAL-- Technology and Support Services</b>	<b>12,942.7</b>
			<b>(55-03-00) Planning</b>	
			<b>(55-03-01) Planning</b>	
	72.0	19.0	Personnel Costs	4,362.4
			Operations/Capital	830.3
	72.0	19.0	<b>TOTAL -- Planning</b>	<b>5,192.7</b>

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

	<b>Personnel</b>				<b>\$ Line Item</b>
	<b>NSF</b>	<b>TFO</b>	<b>TFC</b>		<b>TFO</b>
1					
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3					
4				<b>(55-04-00) Maintenance and Operations</b>	
5				<b>(55-04-01) Office of the Director</b>	
6				Personnel Costs	1,477.8
7		26.0		Operations/Capital	94.6
8		26.0		<b>TOTAL -- Office of the Director</b>	<b>1,572.4</b>
9					
10					
11				<b>(55-04-70) Maintenance Districts</b>	
12		732.0	25.0	Personnel Costs	30,456.0
13				Energy	907.6
14				Capital Outlay	234.5
15				Contractual/Supplies	15,125.6
16				Snow/Storm Contingency	3,041.0
17		732.0	25.0	<b>TOTAL -- Maintenance Districts</b>	<b>49,764.7</b>
18					
19				<b>(55-04-90) Toll Administration</b>	
20		139.0		Personnel Costs	5,682.7
21				Travel	26.0
22				Energy	444.2
23				Capital Outlay	91.0
24				Contractual/Supplies	2,058.7
25				Contractual - E-Z Pass Operations	3,300.0
26				Contractual - E-Z Pass Transponders	3,200.0
27				Turnpike Operating Reserve *	
28		139.0		<b>TOTAL -- Toll Administration</b>	<b>14,802.6</b>
29					
30		897.0	25.0	<b>TOTAL -- Maintenance and Operations</b>	<b>66,139.7</b>

\* The Cumulative Turnpike Operating Reserve Fund is established at \$2,115

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-06-01) Delaware Transportation Authority</b>	
			Delaware Transit Corporation	
	3.0		Transit Administration	8,084.6
			Transit Operations Planning and Customer	2,028.5
			Transit Operations	40,187.7
			Taxi Services Support "E & H"	148.5
			Newark Transportation	124.9
			Kent and Sussex Transportation "E & H"	1,384.3
			Total -- Delaware Transit Corporation	51,958.5
			DTA Indebtedness	
			Debt Service	
			General Obligation	451.0
			Transportation Trust Fund	96,513.0
			Total -- DTA Indebtedness	96,964.0
	3.0		<b>TOTAL -- Delaware Transportation Authority*</b>	<b>148,922.5</b>
*Delaware Transportation Authority, 2 Del. C. c. 13.				
These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.				
			<b>(55-08-00) Transportation Solutions</b>	
			<b>(55-08-10) Project Teams</b>	
	52.0	87.0	Personnel Costs	3,438.8
	52.0	87.0	TOTAL -- Project Teams	3,438.8
			<b>(55-08-20) Design/Quality</b>	
	18.0	31.0	Personnel Costs	1,348.0
	18.0	31.0	TOTAL -- Design/Quality	1,348.0
			<b>(55-08-30) Engineering Support</b>	
	51.0	66.0	Personnel Costs	3,294.4
			Travel	51.5
			Capital Outlay	60.1
			Contractual/Supplies	220.0
	51.0	66.0	TOTAL -- Engineering Support	3,626.0
			<b>(55-08-40) Traffic</b>	
	83.0		Personnel Costs	4,446.9
			Energy	1,154.3
			Capital Outlay	22.7
			Contractual/Supplies	1,055.1
	83.0		TOTAL -- Traffic	6,679.0
	204.0	184.0	<b>TOTAL -- Transportation Solutions</b>	<b>15,091.8</b>

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

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Personnel				\$ Line Item
NSF	TFO	TFC		TFO
	30.0		<b>(55-11-00) Motor Vehicles</b>	
			<b>(55-11-10) Administration</b>	
			Personnel Costs	1,453.4
			Travel	10.1
			Contractual Services	286.7
			Supplies and Materials	16.9
			Capital Outlay	0.1
			Motorcycle Safety	104.5
			Off Highway Vehicles	1.0
			General Obligation Debt Service	77.0
	30.0		<b>TOTAL -- Administration</b>	<b>1,949.7</b>
			<b>(55-11-20) Driver Services</b>	
2.0	72.0		Personnel Costs	2,932.0
			Contractual Services	367.4
			Supplies and Materials	32.3
			CDL Fees	207.3
2.0	72.0		<b>TOTAL -- Driver Services</b>	<b>3,539.0</b>
			<b>(55-11-30) Vehicle Services</b>	
	124.0		Personnel Costs	5,042.8
			Travel	10.0
			Contractual Services	2,165.0
			Supplies and Materials	899.9
			Capital Outlay	541.5
			Odometer Forms	6.0
			Special License Plates	25.0
			DMVT	150.0
			General Obligation Debt Service	167.5
	124.0		<b>TOTAL -- Vehicles Services</b>	<b>9,007.7</b>
			<b>(55-11-40) Motor Fuel Tax Administration</b>	
1.0	21.0		Personnel Costs	1,066.8
			Travel	25.0
			Contractual Services	290.2
			Supplies	29.1
1.0	21.0		<b>TOTAL -- Motor Fuel Tax Administration</b>	<b>1,411.1</b>
3.0	247.0		<b>TOTAL -- Motor Vehicles</b>	<b>15,907.5</b>
6.0	1,590.0	228.0	<b>TOTAL -- DEPARTMENT OF TRANSPORTATION</b>	<b>270,114.0</b>

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

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Personnel		
NSF	ASF	GF
13.5	30.7	8.8
13.5	30.7	8.8

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			1,767.6	680.0
Travel			16.0	2.4
Contractual Services			747.0	204.9
Supplies and Materials			107.4	9.8
Capital Outlay			50.5	
Other Items:				
Publications			10.0	
<b>TOTAL -- Administration</b>			<b>2,698.5</b>	<b>897.1</b>

	10.7	1.3
13.5		2.5
		4.0
	20.0	1.0
13.5	30.7	8.8

(-10) Office of the Secretary	1,127.7	362.1
(-20) Office of Occupational and and Labor Market Information		138.7
(-30) Commission for Women	10.0	299.4
(-40) Administrative Support	1,560.8	96.9
<b>TOTAL -- Internal Program Units</b>	<b>2,698.5</b>	<b>897.1</b>

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

134.0	4.0
134.0	4.0

Personnel Costs	156.1
Travel	0.1
Contractual Services	171.8
Energy	1.0
Supplies and Materials	2.0
Capital Outlay	7.2
Other Items:	
Revenue Refund	95.8
<b>TOTAL -- Unemployment Insurance</b>	<b>434.0</b>

134.0	4.0
134.0	4.0

(-01) Unemployment Insurance	434.0
<b>TOTAL -- Internal Program Unit</b>	<b>434.0</b>

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

8.0	55.0
8.0	55.0

Personnel Costs	2,928.3
Travel	30.8
Contractual Services	695.0
Supplies and Materials	41.0
Capital Outlay	36.6
Other Items:	
Second Injury	5,600.0
<b>TOTAL -- Industrial Affairs</b>	<b>9,331.7</b>

6.0	35.0
2.0	20.0
8.0	55.0

(-01) Office of Workers Compensation, Safety and Health	8,242.4
(-02) Office of Labor Law Enforcement	1,089.3
<b>TOTAL -- Internal Program Units</b>	<b>9,331.7</b>

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

122.0	6.0	2.0
122.0	6.0	2.0

Personnel Costs		334.5	80.7
Travel			0.3
Contractual Services		372.0	2,040.8
Supplies and Materials		75.0	76.9
Capital Outlay		64.4	
Other Items:			
Sheltered Workshop			306.7
Governor's Committee			13.0
<b>TOTAL -- Vocational Rehabilitation</b>		<b>845.9</b>	<b>2,518.4</b>

83.0	6.0	2.0
39.0		
122.0	6.0	2.0

(-10) Vocational Rehabilitation Services	845.9	2,518.4
(-20) Disability Determination Services		
<b>TOTAL -- Internal Program Units</b>	<b>845.9</b>	<b>2,518.4</b>

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

89.9	4.0	24.1
89.9	4.0	24.1

Personnel Costs		184.9	955.5
Travel		4.2	6.1
Contractual Services		88.1	355.0
Energy			1.9
Supplies and Materials		6.2	12.6
Capital Outlay		13.4	3.8
Other Items:			
Summer Youth Program			235.2
Individual Skills Grant			181.6
Welfare Reform			959.0
Blue Collar Skills		2,258.3	
<b>TOTAL -- Employment and Training</b>		<b>2,555.1</b>	<b>2,710.7</b>

89.9	4.0	24.1
89.9	4.0	24.1

(-20) Employment and Training Services	2,555.1	2,710.7
<b>TOTAL -- Internal Program Unit</b>	<b>2,555.1</b>	<b>2,710.7</b>

<b>367.4</b>	<b>99.7</b>	<b>34.9</b>
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<b>TOTAL -- DEPARTMENT OF LABOR</b>	<b>15,865.2</b>	<b>6,126.2</b>
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**(65-00-00) DEPARTMENT OF AGRICULTURE**

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Personnel		
NSF	ASF	GF
15.7	35.5	84.8
15.7	35.5	84.8

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

	\$ Program		\$ Line Item	
	ASF	GF	ASF	GF
Personnel Costs			2,434.3	4,619.5
Travel			59.6	32.7
Contractual Services			442.7	431.2
Energy			7.8	93.0
Supplies and Materials			144.9	128.1
Capital Outlay			183.0	46.0
Other Items:				
Information, Education & Certification				221.0
Nutrient Management Planning				451.8
Poultry Litter Transport				246.0
Agriculture Advertising				50.0
Agriculture Development Program				17.7
Laurel Auction				9.5
Alternative Agriculture Projects				15.0
Cooperative Advertising				40.0
Plant Pest Survey & Control				107.2
Educational Assistance			15.0	
Revenue Refund			4.0	
Fingerprinting			95.5	
Equine Drug Testing			670.0	
County Rollback			40.2	
Debt Service				90.3
<b>TOTAL -- Agriculture</b>			<b>4,097.0</b>	<b>6,599.0</b>

	1.0	19.0
		7.0
7.2	12.5	6.3
4.5	3.5	17.0
1.0	5.5	
3.0	6.0	
		4.0
	0.5	13.5
		7.0
	4.5	
		8.0
		3.0
	2.0	
15.7	35.5	84.8

(-01) Administration	226.4	1,675.1
(-02) Agriculture Compliance	12.2	368.6
(-03) Food Products Inspection	781.5	368.3
(-04) Forest Service	384.1	926.9
(-05) Harness Racing Commission	1,066.9	
(-06) Pesticides	399.5	
(-07) Planning		347.8
(-08) Plant Industries	94.2	895.7
(-09) Poultry and Animal Health		432.9
(-10) Thoroughbred Racing Commission	1,056.7	
(-11) Weights and Measures		447.7
(-12) Nutrient Management		1,136.0
(-13) Agricultural Lands Preservation Foundation	75.5	
<b>TOTAL -- Internal Program Units</b>	<b>4,097.0</b>	<b>6,599.0</b>

**TOTAL -- DEPARTMENT OF AGRICULTURE**

<b>15.7</b>	<b>35.5</b>	<b>84.8</b>
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<b>4,097.0</b>	<b>6,599.0</b>
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**(70-00-00) DEPARTMENT OF ELECTIONS**

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF	GF	ASF	GF	ASF	GF
5							
6			11.0				
7							536.8
8							1.3
9							281.8
10							19.4
11							0.8
12							17.0
13							20.0
14							350.0
15			11.0				1,227.1
16							
17							
18							
19			17.0				813.8
20							13.1
21							182.8
22							14.1
23							16.9
24							
25							
26							3.5
27			17.0				1,044.2
28							
29							
30							
31			8.0				424.1
32							1.5
33							133.3
34							12.0
35							5.1
36							1.5
37							
38							3.0
39			8.0				580.5
40							
41							
42							
43			7.0				409.1
44							1.4
45							29.7
46							12.2
47							2.0
48							
49							2.1
50			7.0				456.5
51							
52							
53			43.0				3,308.3

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(75-01-01) Office of the State Fire Marshal</b>			
	28.2	23.8			1,395.8	1,413.1
					34.0	
					365.3	107.1
						46.2
					71.0	37.5
					245.4	10.8
					1.5	
						2.0
						208.2
	28.2	23.8	<b>TOTAL -- Office of the State Fire Marshal</b>			
					2,113.0	1,824.9
			<b>(75-02-01) State Fire School</b>			
		17.0				962.6
						384.0
						120.8
						75.0
					50.0	
					50.0	
						5.0
						10.0
						30.0
						267.4
		17.0	<b>TOTAL -- State Fire School</b>			
					100.0	1,854.8
			<b>(75-03-01) State Fire Prevention Commission</b>			
		1.0				48.9
						25.5
					7.5	25.0
						2.6
						100.0
						9.0
					10.0	7.2
					4.0	
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>			
					21.5	218.2
	28.2	41.8	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>			
					2,234.5	3,897.9

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

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Personnel		
NSF	ASF	GF
76.3		30.0
<b>76.3</b>		<b>30.0</b>

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

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

\$ Program		\$ Line Item	
ASF	GF	ASF	GF
			2,023.5
			6.7
			250.4
			427.0
			94.5
			490.0
			3.7
			254.8
			<b>3,550.6</b>

**TOTAL -- DELAWARE NATIONAL GUARD**

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

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(77-01-01) Advisory Council For Exceptional Citizens</b>			
		2.0				93.4
						6.0
						13.2
						1.1
			<b>TOTAL -- ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS</b>			
		<b>2.0</b>				<b>113.7</b>

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

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Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

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

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

Operations		81,754.2
Scholarships		7,563.5
Agricultural Programs		3,313.6
Other Programs		9,012.7
The College School		83.1
Medical Technology		38.0
Debt Service		5,960.4
MCI/Equipment		1,000.0
<b>TOTAL -- University of Delaware</b>		<b>108,725.5</b>

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

Operations		1,219.7
River Master Program		83.0
<b>TOTAL -- Delaware Geological Survey</b>		<b>1,302.7</b>

**TOTAL -- University of Delaware**

	<b>110,028.2</b>
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**(90-03-00) Delaware State University**

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

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

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

**TOTAL -- Delaware State University**

	<b>33,992.8</b>
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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		43.0	Personnel Costs		4,434.1
			Contractual Services		83.1
			Energy		25.0
			Occupational Teacher Program		36.8
			Academic Incentive		50.0
			Salary Plan A & D		40.0
			Parallel Program - Operations		271.2
			Parallel Program - Academic		1,487.4
			Debt Service		11.2
12.0		43.0	TOTAL -- Office of the President		6,438.8

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

59.0		191.0	Personnel Costs		12,938.0
			Energy		326.0
			Grants		48.2
			Aid to Needy Students		172.8
			Work Study		31.2
			Debt Service		1,469.3
			Day Care Training		16.8
59.0		191.0	TOTAL -- Owens Campus		15,002.3

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

41.0		154.0	Personnel Costs		10,100.3
			Energy		361.6
			Aid to Needy Students		137.8
			Grants		27.5
			Work Study		35.1
			Debt Service		1,561.8
			Dental Program		78.8
			Day Care Training		17.2
41.0		154.0	TOTAL -- Wilmington Campus		12,320.1

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

52.0		185.0	Personnel Costs		12,618.6
			Energy		162.2
			Aid to Needy Students		122.8
			Grants		22.5
			Work Study		36.1
			Debt Service		495.2
52.0		185.0	TOTAL -- Stanton Campus		13,457.4

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

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
					<b>(90-04-06) Terry Campus</b>	
58.9		124.0				7,875.3
						206.7
						358.8
						146.3
						21.7
						21.0
						550.3
						6.0
58.9		124.0				9,186.1
					<b>TOTAL -- Delaware Technical and Community College</b>	
222.9		697.0				56,404.7
					<b>(90-07-01) Delaware Institute of Veterinary Medical Education</b>	
						237.4
					<b>TOTAL -- Delaware Institute of Veterinary Medical Education</b>	
						237.4
<b>222.9</b>		<b>697.0</b>	<b>TOTAL -- HIGHER EDUCATION</b>			<b>200,663.1</b>





(95-00-00) DEPARTMENT OF EDUCATION

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(95-02-00) School District Operations</b>			
		10,717.0				
						352,177.0
						6,084.4
						132,630.8
						19,905.2
						13,937.3
						62,971.3
						5,401.5
						1,000.0
						1,600.0
						506.4
						293.8
						184.1
						152.3
						23,977.3
		10,717.0				620,821.4
			<b>TOTAL -- School District Operations</b>			
		10,717.0		587,706.0		
				8,985.8		
				24,129.6		
		10,717.0		620,821.4		
			<b>TOTAL -- Internal Program Units</b>			

(95-00-00) DEPARTMENT OF EDUCATION

	Personnel			\$ Program		\$ Line Item	
	NSF	ASF		GF	ASF	GF	ASF
<b>(95-03-00) Block Grants and Pass Through Programs</b>							
			Education Block Grants				
			Adult Education and Work Force Training Grant				7,435.7
			Professional Accountability and Instructional Advancement Fund				7,800.5
			Academic Excellence Block Grant				30,117.9
			K-12 Pass Throughs				
			Delaware Nature Society				9.6
			Children's Beach House				70.8
			Read Aloud				242.2
			Strive				87.3
			Summer School - Gifted & Talented				173.8
			Center for Economic Education				195.2
			Educational Resources				237.8
			DE Institute for Arts in Education				132.4
			Advanced Studies				94.3
			Student Organization				193.8
			Parents as Teachers				1,189.3
			Pregnant Students				279.2
			Delaware Teacher Center				475.4
			Reading Assist				252.7
	3.0	4.5	Smithsonian Project			800.0	1,568.7
			On-Line Periodicals				487.0
			Jobs for DE Graduates				571.3
			Delaware Geographic Alliance				48.5
			Creative Mentoring				242.6
			Delaware History Day Competition				4.8
			Special Needs Programs				
			Early Childhood Assistance				4,456.7
		1.0	Children with Disabilities				2,648.8
	1.0		Unique Alternatives			890.7	10,822.0
			Exceptional Student Unit - Vocational				469.9
			Related Services for the Handicapped				2,305.7
			Adolescent Day Program				36.0
	1.0		Children Services Cost Recovery Project			750.7	
			Sterck Summer Program				40.0
			Tech-Prep 2 + 2				440.0
			Student Discipline Program				14,854.5
			Extra Time for Students				10,428.0
			Limited English Proficient				1,000.0
		30.7	Prison Education				2,622.7
			Innovative After School Initiatives				200.0
			Reading Resource Teachers				2,729.2
			First State School				220.0
			Driver Training				
	1.0	12.0	Driver's Education			61.1	1,389.8
	6.0	48.2	<b>TOTAL -- Block Grants and Pass Through Programs</b>			<b>2,502.5</b>	<b>106,574.1</b>
			(-10) Education Block Grants			45,354.1	
	3.0	4.5	(-15) K-12 Pass Throughs	800.0		6,556.7	
	2.0	31.7	(-20) Special Needs Programs	1,641.4		53,273.5	
	1.0	12.0	(-30) Driver Training	61.1		1,389.8	
	6.0	48.2	<b>TOTAL -- Internal Program Units</b>	<b>2,502.5</b>		<b>106,574.1</b>	



1 **Personnel**

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

\$

<b>TIF</b>	<b>ASF</b>	<b>GF</b>
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**TOTALS**

6	1,590.0	228.0	1,848.1	1,466.1	11,285.5	<b>TOTAL - DEPARTMENTS</b>	270,114.0	403,044.8	1,427,477.5
7									
8			222.9		697.0	<b>TOTAL - HIGHER EDUCATION</b>			200,663.1
9									
10			70.3	8.0	10,901.9	<b>TOTAL - PUBLIC EDUCATION</b>		3,511.8	816,596.2
11									
12	<b>1,590.0</b>	<b>228.0</b>	<b>2,141.3</b>	<b>1,474.1</b>	<b>22,884.4</b>	<b>GRAND TOTAL</b>	<b>270,114.0</b>	<b>406,556.6</b>	<b>2,444,736.8</b>

# GENERAL

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

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

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

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

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

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

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

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

24       (d) For Fiscal Year 2004, the payroll recovery rate for the Deferred Compensation Program shall  
25 be .14 percent. This rate shall be combined with the Fiscal Year 2004 payroll recovery rate for Worker's  
26 Compensation. An amount equal to fourteen one-hundredths (.0014) of the total payroll recovery shall be

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

4 (e) Section 1 of this Act provides funding for a state employee pension rate of 11.56 percent.  
5 The components of the rate are 4.20 percent for the pension liability, 5.91 percent for retiree health  
6 insurance costs, and 1.45 percent for the Post-Retirement Increase Fund.

7 (f) Section 1 of this Act provides funding for a judicial pension rate of 20.81 percent.

8 (g) Section 1 of this Act provides funding for a new State Police pension rate of 10.87 percent.

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

11 GF – General Fund

12 ASF – Appropriated Special Funds

13 NSF – Non-appropriated Special Funds

14 TFO – Trust Fund Operations

15 TFC – Trust Fund Capital

16 FTE – Full-Time Equivalent

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

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

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

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

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

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

12 Effective July 1, 2003, the following pay plans are established for state merit system employees:

13 **Annual Salary**

14 **STATE OF DELAWARE PAY PLAN\***

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

16	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
17	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
18	1	15,759*	18,982	22,778
19	2	16,249	20,311	24,373
20	3	17,390	21,737	26,084
21	4	18,602	23,253	27,904
22	5	19,908	24,885	29,862
23	6	21,301	26,626	31,951
24	7	22,789	28,486	34,183
25	8	24,386	30,482	36,578
26	9	26,094	32,618	39,142
27	10	27,921	34,901	41,881
28	11	29,873	37,341	44,809
29	12	31,965	39,956	47,947
30	13	34,203	42,754	51,305
31	14	36,594	45,742	54,890
32	15	39,158	48,948	58,738
33	16	41,902	52,377	62,852
34	17	44,834	56,042	67,250
35	18	47,970	59,962	71,954
36	19	51,328	64,160	76,992

1	20	54,925	68,656	82,387
2	21	58,767	73,459	88,151
3	22	62,881	78,601	94,321
4	23	67,284	84,105	100,926
5	24	71,997	89,996	107,995
6	25	77,034	96,292	115,550
7	26	82,426	103,032	123,638

8 \* - Annual Salary in Whole Dollars.

9 **STATE OF DELAWARE PAY PLAN\***

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

11	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
12	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
13	1	16,198*	20,247	24,296
14	2	17,332	21,665	25,998
15	3	18,546	23,182	27,818
16	4	19,842	24,803	29,764
17	5	21,234	26,543	31,852
18	6	22,719	28,399	34,079
19	7	24,310	30,387	36,464
20	8	26,013	32,516	39,019
21	9	27,833	34,791	41,749
22	10	29,781	37,226	44,671
23	11	31,863	39,829	47,795
24	12	34,096	42,620	51,144
25	13	36,482	45,603	54,724
26	14	39,038	48,797	58,556
27	15	41,770	52,212	62,654
28	16	44,695	55,869	67,043
29	17	47,822	59,777	71,732
30	18	51,168	63,960	76,752
31	19	54,751	68,439	82,127
32	20	58,586	73,232	87,878
33	21	62,687	78,359	94,031
34	22	67,076	83,845	100,614
35	23	71,768	89,710	107,652
36	24	76,794	95,992	115,190
37	25	82,169	102,711	123,253
38	26	87,921	109,901	131,881

39 \* - Annual Salary in Whole Dollars.



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

<u>DEPARTMENT</u>	<u>CLASS SERIES</u>	
Department of Health & Social Services	Drug Control and Enforcement Agents	
	Chief Drug Control and Enforcement	
	Drug Control Administrator	
	Department of Correction	Food Service Quality Control Administrator
		Community Work Program Coordinator
		Director of Probation and Parole
		Pre-Trial Presentence Manager
		Probation and Parole Officer
Probation and Parole Regional Manager		
Probation and Parole Supervisor		
Department of Agriculture	Probation and Parole Operations Manager	
	Support Services Manager-DCC	
	Special Services Manager	
	Trainer/Educator I, II, III	
	Correctional Treatment Administrator-DCC	
	Correctional Treatment Administrator - SCI	
	Correctional Officer	
	Correctional Security Superintendent	
	Warden and Deputy Warden	
	Meat Inspectors/Supervisor	
	Meat and Poultry Inspector Officer	
Food Products Inspection Administrator		

1	State Fire School	Training Administrator I
2	Safety and Homeland Security	Telecommunications Specialist Series (ERC)
3		Telecommunications Central Control Specialist
4		Series
5	Department of Transportation	Toll Collectors
6		Toll Collection Supervisor
7		Transportation Management Center
8		Toll Corporals
9		Toll Sergeants

10 (iv) During the fiscal year ending June 30, 2004, the State Personnel Director may designate,  
11 with the concurrence of the Budget Director and the Controller General, other appropriate  
12 classes or groups of employees to work and be paid according to a standard work week of  
13 40 hours. Such designation shall be based upon the operational necessity of agencies to  
14 require employees to regularly and consistently work in excess of 37.5 hours per week  
15 and upon the availability of any required funding.

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

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

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

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

- 1 (3) The Budget Director, the State Personnel Director and the Controller General shall  
2 review the information provided in Sections 8(b)(1) and (2) and shall recommend  
3 approval or disapproval for the classes for selective market compensation variations.
- 4 (4) Any such selective market variations which the State Personnel Director, the Budget  
5 Director and the Controller General have determined to be warranted and have been  
6 approved by the Joint Finance Committee, shall be designated to become effective July 1,  
7 2003, provided that such variations have been processed as part of the regular budgetary  
8 process and the funds for such changes shall be appropriated.
- 9 (5) The State Personnel Director shall establish criteria with the State Budget Director and the  
10 Controller General to allow for selective market to be effective January 1, 2004. An  
11 appointing authority may apply for selective market variation for job classes or job  
12 families that are experiencing severe recruitment and retention issues for January 1, 2004.  
13 Funds must be available within the agency budget to fund the selective market variation  
14 until such time as the General Assembly appropriates such funds.
- 15 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised  
16 according to the results of the labor market surveys for the job class. For the purposes of  
17 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint  
18 and the maximum value shall remain at 125 percent unless the minimum value under the  
19 selective market range for a class is less than the minimum value of the merit system pay  
20 range. The minimum for the class on selective market shall be no less than the merit  
21 system pay range minimum value. No further increases shall be applied to the scale  
22 and/or the midpoints.
- 23 (7) Employees assigned to job classifications approved under the selective market variation  
24 program shall have their salaries adjusted in accordance with the following:
- 25 (i) The salary of employees in positions added to the selective market variation program  
26 on or after July 1, 2003, whose salary in effect as of June 30, 2003, is below the  
27 adjusted minimum salary for the assigned job classification shall be increased to the

1 adjusted minimum salary or an advanced starting salary recommended by the State  
2 Personnel Director and the salary of employees whose current salary falls within the  
3 adjusted salary range shall not be increased.

4 (ii) The salary of employees in positions added to the selective market variation program  
5 before June 30, 2003, whose salary in effect as of June 30, 2002, is below the  
6 adjusted minimum salary for the assigned job classification shall be increased to the  
7 adjusted minimum salary or an advanced starting salary recommended by the State  
8 Personnel Director and the salary of employees whose current salary falls within the  
9 adjusted salary range shall not be increased.

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

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

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

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

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

26 (b) negotiated, collective bargaining increases for Uniformed members of the Delaware State  
27 Police and full-time and regular part-time non-merit Telecommunications Specialists,

1 Senior Telecommunications Specialist, Telecommunication Shift Supervisors,  
2 Telecommunication Central Control Specialists, Senior Telecommunications Central  
3 Control Specialists and Telecommunications Central Control Shift Supervisors employed  
4 in the Communications Section of the Division of State Police in the Department of  
5 Safety and Homeland Security, and

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

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

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

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

19 **(d) MAINTENANCE REVIEWS.**

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

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

10 **(e) CRITICAL RECLASSIFICATIONS.**

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

16 **(f) OTHER RECLASSIFICATIONS.**

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

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

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

1           **(h) ADMINISTRATIVE REGULATIONS.**

- 2           (1) The administrative regulation and procedures necessary to implement this Section shall  
3           be promulgated by the State Personnel Director, Budget Director and Controller General.
- 4           (2) During the fiscal year ending June 30, 2004, paragraph 5.1100 of the Merit Rules for a  
5           Merit System of Personnel Administration shall be null and void.
- 6           (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the  
7           performance review prescribed by Office of State Personnel after applicable training by  
8           the Office of State Personnel. A performance review shall be completed for employees  
9           between January 1 and December 31, 2004.
- 10          (4) Employees who retain salary upon voluntary demotion in accordance with Merit Rule  
11          13.0340 shall be ineligible for a promotional increase upon promotion to a paygrade  
12          lower than or equal to their original paygrade prior to voluntary demotion for a one year  
13          period from the date of their voluntary demotion.

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

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

21           **(j) OVERTIME FOR WEATHER RELATED EMERGENCIES - DEPARTMENT OF**  
22           **TRANSPORTATION EMPLOYEES.**

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

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

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

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

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

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

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

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

12 (1) Each school district shall continue to use salary schedules not less than those 14 Del. C.  
13 § 1322, for all school lunch employees.

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

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

23 (4) Section 1 of this Act provides an amount for salaries and other employment costs for  
24 Formula Employees in Public Education. Additional amounts are included in some  
25 Block Grants and Pass Through Programs (95-03-00). Local school districts must  
26 charge payroll for local share salary supplements and other employment costs and  
27 fringe benefits simultaneously with state share charges. The amount of salary and other



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

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

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

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

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

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

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

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

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

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

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(02-18-00)	Public Guardian	60.0	
4	(02-18-00)	Executive Director - Violent Crimes Compensation		
5		Board		49.0
6	(02-18-00)	Executive Director - Child Placement Review Board	54.2	
7	(10-01-01)	Governor	114.0	
8	(10-02-00)	Budget Director	113.4	
9	(10-02-08)	Director - SAC	79.2	
10	(10-03-01)	Director - Delaware Economic Development Office	106.0	
11	(10-04-00)	Personnel Director	106.0	
12	(10-07-01)	Executive Director - CJC	80.2	
13	(10-07-01)	Director – Domestic Violence Coordinating Council	59.0	
14	(10-07-02)	Executive Director - DELJIS	71.1	
15	(10-08-01)	Director - Delaware State Housing Authority		99.0
16	(11-00-00)	Chief Information Officer	133.6	
17	(12-01-01)	Lieutenant Governor	62.4	
18	(12-02-01)	Auditor	89.9	
19	(12-03-01)	Insurance Commissioner		89.9
20	(12-05-01)	State Treasurer	94.0	
21	(15-01-01)	Attorney General	116.7	
22	(15-01-01)	Chief Deputy Attorney General	110.0	
23	(15-02-01)	Public Defender	116.7	
24	(15-02-01)	Chief Deputy Public Defender	110.0	
25	(15-03-01)	Parole Board Chairman	55.0	

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(20-01-00)	Secretary - State	106.0	
4	(20-02-00)	Director - Human Relations	63.2	
5	(20-03-00)	Director – Division of Archives	76.4	
6	(20-05-00)	Director - Corporations		96.4
7	(20-06-00)	Director - Historical and Cultural Affairs	79.4	
8	(20-07-00)	Director - Arts	69.6	
9	(20-08-00)	State Librarian	75.2	
10	(20-15-00)	State Banking Commissioner		95.7
11	(25-01-00)	Secretary – Finance	113.4	
12	(25-05-00)	Director - Accounting	91.9	
13	(25-06-00)	Director – Revenue	106.9	
14	(25-07-00)	Director - State Lottery		90.3
15	(30-01-00)	Secretary - Administrative Services	98.8	
16	(30-01-00)	Director - Administration	78.1	
17	(30-01-00)	Executive Director - Public Employment Relations		
18		Board	67.8	
19	(30-03-00)	Public Advocate		72.8
20	(30-03-00)	Director - Public Service Commission		77.9
21	(30-03-00)	Director - Professional Regulation		75.6
22	(30-04-00)	Director – Support Services	25.7	49.9
23	(30-05-00)	Director - Facilities Management	83.4	
24	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	40.6	
25	(35-01-00)	Secretary - Health and Social Services	113.4	
26	(35-01-00)	Director - Management Services	88.3	9.9

			<b>General Funds</b>	<b>All Other Funds</b>
1	<b>Budget Unit</b>	<b>Line Item</b>		
2				
3	(35-04-00)	Chief Medical Examiner	135.4	
4	(35-05-00)	Director - Public Health	141.6	
5	(35-06-00)	Director – Substance Abuse and Mental Health	121.8	
6	(35-07-00)	Director - Social Services	49.2	49.2
7	(35-08-00)	Director - Visually Impaired	69.4	
8	(35-09-00)	Director - Long-Term Care Residence Protection	78.9	
9	(35-10-00)	Director - Child Support Enforcement	26.0	52.8
10	(35-11-00)	Director – Developmental Disabilities Services	98.3	
11	(35-12-00)	Director - State Service Centers	78.9	
12	(35-12-00)	Director - Community and Volunteer Services	64.5	
13	(35-14-00)	Director - Services for Aging and Adults		
14		with Physical Disabilities	78.9	
15	(37-01-00)	Secretary - Services for Children,		
16		Youth and Their Families	106.0	
17	(37-01-00)	Director - Management Services	89.5	
18	(37-04-00)	Director - Child Mental Health Services	89.5	
19	(37-05-00)	Director - Youth Rehabilitative Services	89.5	
20	(37-06-00)	Director - Family Services	89.5	
21	(38-01-00)	Commissioner - Correction	113.4	
22	(38-01-00)	Bureau Chief - Management Services	81.4	
23	(38-04-00)	Bureau Chief - Prisons	98.3	
24	(38-06-00)	Bureau Chief - Community Corrections	93.6	

			<b>General Funds</b>	<b>All Other Funds</b>
1	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(40-01-00)	Secretary - Natural Resources and		
4		Environmental Control	106.0	
5	(40-01-00)	Deputy Secretary - Natural Resources		
6		and Environmental Control	78.4	
7	(40-01-00)	Director - Boiler Safety	54.5	
8	(40-05-00)	Director - Fish and Wildlife	42.1	42.1
9	(40-06-00)	Director - Parks and Recreation	85.0	
10	(40-07-00)	Director - Soil and Water Conservation	84.3	
11	(40-08-00)	Director - Water Resources	86.8	
12	(40-09-00)	Director - Air and Waste Management	86.8	
13	(45-01-00)	Secretary – Safety and Homeland Security	106.0	
14	(45-01-00)	Director - Del. Emergency Management Agency	34.9	34.9
15	(45-03-00)	Commissioner – Alcoholic Beverage Control	98.8	
16	(45-04-00)	Director - Alcoholic Beverage		
17		Control and Tobacco Enforcement	70.0	
18	(45-06-00)	Superintendent - State Police	126.9	
19	(45-06-00)	Assistant Superintendent - State Police	116.4	
20	(55-01-01)	Secretary - Transportation		106.0
21	(55-02-01)	Director – Technology and Support Services		100.0
22	(55-03-01)	Director - Planning		100.0
23	(55-04-01)	Director – Maintenance and Operations		100.0
24	(55-06-01)	Director - Delaware Transit Corporation		100.0
25	(55-08-30)	Chief Engineer		100.0
26	(55-11-10)	Director - Motor Vehicles		100.0

			<b>General Funds</b>	<b>All Other Funds</b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(60-01-00)	Secretary - Labor	9.4	86.1
4	(60-06-00)	Director - Unemployment Insurance		81.8
5	(60-07-00)	Director - Industrial Affairs		81.8
6	(60-08-00)	Director - Vocational Rehabilitation		81.8
7	(60-09-00)	Director - Employment and Training	8.2	73.6
8	(65-01-00)	Secretary - Agriculture	98.8	
9	(65-01-00)	Deputy Secretary - Agriculture	73.3	
10	(70-01-01)	Commissioner - Elections	69.1	
11	(70-02-01)	Administrative Director - New Castle County Elections	65.4	
12	(70-02-01)	Deputy Administrative Director - New Castle		
13		County Elections	64.2	
14	(70-03-01)	Administrative Director - Kent County Elections	65.4	
15	(70-03-01)	Deputy Administrative Director - Kent County Elections	64.2	
16	(70-04-01)	Administrative Director - Sussex County Elections	65.4	
17	(70-04-01)	Deputy Administrative Director - Sussex County Elections	64.2	
18	(75-01-01)	State Fire Marshal	46.5	23.0
19	(75-02-01)	Director - State Fire School	69.5	
20	(76-01-01)	Adjutant General	91.8	
21	(95-01-00)	Secretary of Education	133.6	
22	(95-01-00)	Deputy Secretary of Education	109.5	
23	(95-06-00)	Executive Secretary - Advisory Council on Career		
24		and Vocational Education	86.6	
25	(95-08-01)	Executive Director - Higher Education Commission	71.9	
26		(b) (i) Salaries of designated positions in Section 10(a) of this Act shall have no further increase		
27		applied by any other section of this Act, except as provided in Section 10(b)(ii), (iii), (iv), and (vii).		



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

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

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

1 midpoint of the evaluated pay range for the division level manager position by submitting  
2 appropriate justification to the State Personnel Director. In reviewing requests made  
3 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the  
4 request and shall solicit the advice and written consent of the Budget Director and the  
5 Controller General.

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

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

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

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

26 (c) Effective May 1, 2004, the Office of State Personnel shall submit to the Joint Finance  
27 Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position

1 the number of points applicable for Fiscal Year 2003 and the number of points of any recommended  
 2 changes for any position for Fiscal Year 2005.

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

		<u>July 1, 2003</u>	
<u>Budget Unit</u>	<u>Line Item</u>	<u>General Funds</u>	<u>All Other Funds</u>
9 (10-04-00)	Board Members - Pensions		9.6
10 (15-01-01)	Board Members - Consumer Protection	3.5	
11 (15-03-01)	Board Members - Parole	19.5	
12 (20-02-00)	Board Members - Human Relations	2.5	
13 (25-01-00)	Board Members - Revenue	33.0	
14 (30-01-00)	Board Members - Public Employment Relations Board	7.4	
15 (30-01-00)	Board Members - Merit Employee Relations Board	20.0	
16 (30-03-00)	Board Members - Professional Regulation		71.5
17 (30-03-00)	Board Members - Public Service Commission		130.0
18 (30-05-00)	Board Members - Architectural Accessibility Board	2.3	
19 (38-04-00)	Board Members - Institutional Classification	12.0	
20 (45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
21 (60-07-00)	Board Members - Industrial Accident Board		153.0
22 (65-01-05)	Harness Racing Commission		13.6
23 (65-01-10)	Thoroughbred Racing Commission		13.6
24 (65-01-12)	Nutrient Management Commission	22.4	
25 (70-02-01)	Board Members - New Castle County Elections	21.5	
26 (70-03-01)	Board Members - Kent County Elections	13.0	
27 (70-04-01)	Board Members - Sussex County Elections	13.0	

1	(95-01-01)	Board Members - State Board of Education	16.8
2	(95-08-01)	Higher Education Commissioners	2.4

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

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

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

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

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

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

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

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

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

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

10          Section 16. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel  
11 Director, in accordance with the Budget Director and the Controller General, shall have the authority to  
12 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the  
13 mutual benefit of the State as an employer and its affected employees in the Department of Health and  
14 Social Services, the Department of Services for Children Youth and Their Families, the Department of  
15 Correction, and the Department of Transportation. These pilot projects may include employee incentives  
16 which have the impact of reducing overtime usage in these departments, and which are designed to  
17 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment  
18 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the  
19 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a  
20 period of two years duration, subject to renewal on a six month basis, and shall include a written  
21 assessment to the Budget Director and the Controller General of their effectiveness at the end of each  
22 period.

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

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

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

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

16           Section 19. Amend 14 Del. C. §3484 by adding a new subsection (f) to read as follows: "(f)  
17 Members of the Board overseeing the Delaware College Investment Plan may be reimbursed for mileage  
18 expenses incident to their duties."

19           Section 20. (a) Increased use of videophones and related technologies by agencies comprising  
20 the criminal justice system is beginning to have a positive impact on the operations of these agencies.  
21 One such positive impact is the reduction in the number of trips Department of Correction personnel need  
22 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings  
23 and other procedural matters. To help quantify these positive impacts, agencies with videophones  
24 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Budget  
25 Director and Controller General a report on their use of their videophone(s) by December 1 of each year.  
26 This report shall be based on a period from July 1 through June 30 and shall contain information such as,  
27 but not limited to, 1) the number of videophones used; 2) the types of activities for which the

1 videophone(s) is/are used; 3) the number of times the videophone(s) was/were used for each activity; 4)  
2 any savings or deferred costs resulting from the use of the videophone(s); 5) any costs directly associated  
3 with the use of the videophone(s); and 6) future plans for the use of the videophone(s).

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

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

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

18 (b) Pursuant to Merit Rules 5.0711 and 5.0712, an agency that requests approval of a starting  
19 rate higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the advanced  
20 salary of newly hired employee, shall provide documentation that sufficient funds exist within the  
21 agency's base budget to fund such actions. An agency that requests approval of a starting rate higher than  
22 85 percent of midpoint shall also indicate if the approval of such starting rate will result in a request to  
23 level up the salary of existing employees, and shall indicate if sufficient funds exist within the agency's  
24 base budget to fund such a leveling up action.

25 Section 23. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax  
26 basis. Employees who have currently designated employee deductions on a post-tax basis shall continue

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

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

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

16 Section 26. Notwithstanding Chapter 2.0 and Chapter 12.0 of the Merit Rules, upon approval by  
17 the Budget Director, Controller General and the State Personnel Director, temporary appointees may be  
18 assigned to the same position as that already assigned to a permanent employee in order to complete a  
19 special project.

20 Section 27. (a) For the fiscal year ending June 30, 2003, any sums in the following accounts  
21 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2004.

<u>Fiscal Year</u>	<u>Account</u>	<u>Remarks</u>
<u>Appropriation</u>	<u>Codes</u>	
24 2003	01-01-01-01-40	Travel
25 2003	01-01-01-01-41	Leg-Mileage
26 2003	01-01-01-01-50	Contractual
27 2003	01-01-01-01-60	Supplies



1	2003	01-01-01-01-70	Capital
2	2003	01-01-01-01-81	Committee Expenses
3	2003	01-02-01-01-40	Travel
4	2003	01-02-01-01-41	Leg-Mileage
5	2003	01-02-01-01-50	Contractual
6	2003	01-02-01-01-60	Supplies
7	2003	01-02-01-01-70	Capital
8	2003	01-02-01-01-81	Committee Expenses
9	2003	01-05-01-01-40	Travel
10	2003	01-05-01-01-41	Legislative Travel
11	2003	01-05-01-01-50	Contractual
12	2003	01-05-01-01-51	State Governments
13	1998	01-05-01-01-85	Delegation Expenses
14	2003	01-05-01-01-98	One-Time
15	2001	01-08-01-01-85	Tri-Cent Committee
16	2001	01-08-01-01-98	One-Time
17	2003	01-08-02-01-40	Travel
18	2003	01-08-02-01-50	Contractual
19	2003	01-08-02-01-60	Supplies
20	2001/02/03	01-08-02-01-70	Capital
21	2002/03	01-08-02-01-81	Contingency – Legislative
22	2003	01-08-02-01-82	Family Law Commission
23	2003	01-08-02-01-85	Formula Update
24	1998 - 2003	01-08-02-01-86	Juvenile Detention Oversight Committee
25	1996	01-08-02-01-87	Contingency - Legal
26	2001/02/03	01-08-02-01-90	Neighborhood Schools
27	2001/02/03	01-08-02-01-91	Clean Air

1	2001	01-08-02-01-92	Redistricting
2	2003	01-08-02-01-93	JFC/CIP Cnt
3	2003	01-08-02-01-97	Contingency - Intern
4	2001	01-08-02-01-98	One-Time
5	2002/03	01-08-02-02-00	TriCent Committee
6	2003	01-08-02-08-10	GIS Plot
7	2002	01-08-02-09-85	Senior Center Projects
8	2002	01-08-02-09-87	Fox Point Park
9	2001	02-08-10-01-95	First Quality
10	2003	02-13-10-01-98	Justice of the Peace Court 1 – Moving
11	2003	02-17-01-01-84	Conflict Attorneys
12	2003	02-17-01-01-85	CASA Attorneys
13	2003	02-17-01-01-86	Family Court Civil Attorney
14	2003	02-17-01-01-88	Court Appointed Attorneys/Involuntary Commitment
15	2003	02-17-01-01-89	Interpreters
16	2003	02-17-01-01-90	New Castle County Courthouse
17	2003	02-17-01-01-98	One-Time (New Castle County Courthouse)
18	2003	02-17-01-02-00	Computer Training
19	2003	02-17-04-01-70	Capital
20	2001	10-02-01-01-97	PHRST
21	2001/03	10-02-01-01-85	Data Development
22	2002/03	10-02-01-01-91	Budget Automation
23	1998	10-02-01-01-98	One-Time (Automated Release Date Project)
24	2000	10-02-01-01-99	Technology
25	1997	10-02-01-02-01	Infrastructure
26	2002/03	10-02-01-02-02	Evaluation Project
27	2001	10-02-01-02-04	Security

1	2003	10-02-03-01-50	Contractual
2	2003	10-02-03-01-83	Self Insurance
3	2000/01/02/03	10-02-04-01-85	Legal Fees
4	2002/03	10-02-04-01-89	Salary/OEC
5	2000	10-02-04-01-99	Technology Initiative
6	2003	10-02-04-02-55	Livable Delaware
7	2003	10-02-06-01-96	Contingency Fund
8	2001	10-02-08-01-98	SENTAC Study
9	2001	10-03-01-01-87	Welfare Reform
10	2001/02	10-03-01-01-88	Workplace Literacy
11	2003	10-03-03-01-86	Trade
12	2003	10-04-02-01-81	Employee Recognition
13	2003	10-04-02-01-87	School-to-Work
14	2002/03	10-04-04-01-99	First Quality
15	1997	10-05-01-01-80	Pilot Projects
16	2003	10-05-01-01-81	Education
17	2003	10-05-01-01-82	Program Evaluation
18	2003	10-05-02-01-80	Operations
19	2003	10-05-03-01-80	Operations
20	2003	10-07-01-01-88	Grants 02
21	2000	10-07-02-01-96	Technology
22	2003	11-03-04-01-97	Disaster Recovery
23	2002	12-01-01-01-98	One-Time
24	2002	12-03-01-01-95	First Quality
25	2001	12-05-01-01-96	First Quality
26	2003	15-02-01-01-98	One-Time

1	1995	20-01-01-01-82	Millsboro Historical Society
2	2003	20-01-02-01-98	One-Time
3	1998	20-03-01-01-80	Historic Markers
4	2002/03	20-03-01-01-81	Document Conservation
5	2002/03	20-03-01-01-82	Historical Markers
6	1997/99/00/01/02/03	20-03-01-01-98	One-Time
7	2003	20-06-04-01-81	Museum Conservation
8	2003	20-06-04-01-85	Art Object Refurbishment
9	2002/03	20-06-04-01-98	One-Time
10	2003	20-07-01-01-82	Arts Grants
11	2002/03	20-08-01-01-80	Library Standards
12	2003	20-08-01-01-81	Delaware Electronic Library
13	2002/03	20-08-01-01-86	DelNET
14	2003	20-08-01-01-88	Public Education Project
15	2003	30-03-20-01-95	First Quality
16	2001/02	30-05-10-01-98	One-Time
17	2003	35-01-20-01-83	EBT
18	2001/02	35-01-20-01-97	Development
19	2003	35-01-20-02-07	First Quality
20	2003	35-05-20-01-82	Immunizations
21	2003	35-05-20-01-83	Hepatitis B
22	2003	35-05-30-09-77	Paramedics
23	2003	35-07-01-01-89	Medicaid Non-State
24	2000	35-07-01-01-97	Medicaid Management Information System
25	2002	35-07-01-01-97	Technology
26	2003	35-11-30-01-80	Community Services
27	2003	35-11-30-01-81	Purchase of Care

1	2003	35-11-30-01-82	Stockley Transition
2	2003	35-12-10-01-84	Kinship Care
3	2002/03	37-01-15-01-96	First Quality
4	2003	37-01-50-01-81	MIS Development
5	1995	37-05-50-01-98	One-Time, Ferris Retraining
6	2003	38-01-10-01-99	MIS
7	2003	38-01-30-01-80	Medical
8	2003	38-01-31-01-80	Drug Treatment
9	2001	38-01-40-01-95	First Quality
10	2002/03	38-01-40-01-99	Maintenance and Restoration
11	2001	40-01-01-01-88	CZM Administration
12	2003	40-01-01-01-97	MCI/Equipment
13	2002	40-01-01-02-01	First Quality
14	2002/03	40-08-01-01-80	Delaware Estuary
15	2001	40-08-02-01-97	First Quality
16	1998	40-08-05-01-97	Permitting Project
17	2002	40-08-07-01-81	Whole Basin TMDL
18	2003	40-08-07-01-82	TMDL
19	1986	45-01-01-03-81	Hazardous Waste Revolving Fund
20	2001/02/03	45-01-30-01-98	Assistance Relief Fund
21	2003	45-06-10-01-82	First Quality
22	2003	60-09-20-01-82	Summer Youth Program
23	2003	60-09-20-01-88	Skill Grant
24	2002/03	70-01-01-01-81	School Elections
25	2003	70-01-01-01-83	Voter Purge
26	2003	70-01-01-01-98	One-Time
27	2001	70-01-01-02-00	Reapportionment

1	2003	70-01-01-02-01	Technology Development
2	2003	70-02-01-01-98	One-Time
3	2001	70-02-01-02-00	Reapportionment/Address Verification
4	2003	70-03-01-01-81	School Elections
5	2003	70-03-01-01-98	One-Time
6	2001	70-03-01-02-00	Reapportionment
7	2003	70-04-01-01-81	School Elections
8	1997/2003	70-04-01-01-98	One-Time
9	2002	75-01-01-01-97	Data Development
10	2001	75-02-01-01-96	EMT Training
11	2001	75-02-01-01-98	One-Time
12	2003	95-01-01-01-89	State Board of Education
13	2002/03	95-01-01-01-93	Building Improvement
14	2003	95-01-01-01-94	Educator Certification and Development
15	2001/02	95-01-01-01-98	One-Time
16	2002/03	95-01-01-02-00	Standards and Assessment
17	2003	95-01-01-02-02	DSTP – On Grade Assessment
18	2003	95-01-01-02-03	Pupil Accounting
19	2003	95-01-01-02-06	Americorps Kickstart Program
20	2003	95-01-01-02-12	Professional Standards Board
21	2003	95-01-01-02-27	DSTP – Off Grade Assessment
22	2003	95-01-01-02-28	DSTP – Retest/EOS/AI
23	2003	95-01-01-02-30	Educator Accountability
24	2001	95-02-02-02-02	Educator Accountability
25	2003	95-02-02-02-04	School Building Awards
26	2002/03	95-03-10-01-91	Professional Development
27	2003	95-03-15-01-27	Smithsonian Project

1	2003	95-03-15-01-31	Early Education Center
2	2003	95-03-20-01-27	Student Discipline Program
3	2003	95-03-20-01-53	3-5 Program
4	2003	95-03-20-01-82	Early Childhood Assistance
5	2003	95-03-20-01-90	Prison Education
6	1999/2002/03	95-03-20-01-98	One-Time
7	2002/03	95-04-01-01-90	Public School Transportation
8	2003	95-07-01-01-80	Operations
9	2003	95-08-01-01-83	Scholarship
10	1998	95-08-01-01-84	DHEC
11	2000/02/03	95-08-01-01-85	Ferguson DSTP Scholarship
12	2000/01/02	95-08-01-01-88	Physician Loan
13	2002/03	95-08-01-01-89	Legislative Essay
14	1997	95-08-01-09-75	GIA Section 1
15	1998	95-08-01-09-77	GIA Tuition
16	1994	95-13-00-01-48	Teacher in Space
17	2003	95-13-00-01-57	Kent Sussex Teacher Center
18	2001	95-13-00-01-72	MCI
19	2002	95-18-00-02-41	Construction Market Pressure
20	2002	95-29-00-02-41	Construction Market Pressure

21 (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and  
22 not be subject to reversion until September 30, 2004: Student Mentoring (appropriation 0207), Discipline  
23 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development  
24 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional  
25 Cadre (appropriation 0206). Program expenses may not be incurred subsequent to the start of the regular  
26 2004-2005 school year.

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

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

6 (e) For the fiscal year ending June 30, 2003, any sums for Fiscal Year 2003 Division II – All  
7 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation  
8 0265), Division II – Energy (Appropriation 0159), Division II – Equalization (Appropriation 0186),  
9 Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards  
10 (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School  
11 Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for  
12 the period of one fiscal year.

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

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

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

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

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



1 department may request additional authority, on a project by project basis, during the fiscal  
2 year. Such requests shall be submitted to the Budget Director and Controller General for  
3 approval.

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

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

1	2003	55-04-40-68-15	Personnel Costs
2	2001/02/03	55-04-50-68-02	Contractual/Supplies
3	20/02/03	55-04-50-68-03	Energy
4	2003	55-04-50-68-04	Capital Outlay
5	2003	55-04-50-68-15	Personnel Costs
6	2001/02/03	55-04-60-68-00	Operations/Capital
7	2003	55-04-60-68-15	Personnel Costs
8	2000/02/03	55-04-70-68-02	Contractual/Supplies
9	2002/03	55-04-70-68-03	Energy
10	2003	55-04-70-68-04	Capital Outlay
11	2003	55-04-70-68-05	Storm Contingency
12	2003	55-04-70-68-15	Personnel Costs
13	2003	55-04-90-68-01	Travel
14	2002/03	55-04-90-68-02	Contractual/Supplies
15	2002/03	55-04-90-68-03	Energy
16	2003	55-04-90-68-04	Capital Outlay
17	2003	55-04-90-68-15	Personnel Costs
18	2002/03	55-06-01-85-70	Transit Administration
19	2003	55-06-01-85-71	Transit Ops Plng/Cust Serv
20	2003	55-06-01-85-72	Transit Operations
21	1987	55-06-01-85-80	DTA Operations
22	2003	55-06-01-85-81	Newark Transportation
23	2003	55-06-01-85-83	Kent & Sussex
24	2003	55-06-01-85-89	Taxi Service
25	2001/02/03	55-07-10-68-00	Operations/Capital
26	2003	55-07-10-68-15	Personnel Costs
27	1995	55-11-10-01-99	Anti-Theft Project

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## **TOBACCO – MASTER SETTLEMENT AGREEMENT**

Section 28. (a) Section 1 of this Act includes Appropriated Special Funds of \$26,079.5 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

(10-02-04) Budget Office Contingency and One-Times

\$250.0 Tobacco Contingency

(10-05-01) Health Care Commission

\$500.0 Diabetes

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

9.0 Casual and Seasonal assistance

(15-01-01) Attorney General

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

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

\$9,145.6 Tobacco prevention through Community Based organizations including \$110.0

for Department of Services for Children, Youth, and their Families

169.0 for Personnel Costs

100.0 Research and testing regimens of detecting lesser known illnesses

40.0 Delaware Breast Cancer Coalition

500.0 Disease Cost Containment

1,297.1 New Nurse Development

65.0 Kent County Consumer Health Services

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

\$133.5 Public Access Defibrillation initiative

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

\$200.0 Transitional housing for persons completing detoxification

1	500.0	Heroin Residential Program
2	<u>(35-07-01) Health and Social Services – Social Services</u>	
3	\$7,500.5	Prescription Drug Program
4	1,485.0	SSI coverage for persons who lose benefits due to unearned income; Health care
5		coverage and supplemental payments necessary to insure federal Medicaid
6		matching funds for former SSI persons who lose benefits due to unearned income
7	988.7	Increase Medicaid eligibility for pregnant women/infants to 200 percent of
8		poverty, attendant care and Breast/Cervical cancer treatment.
9	1,091.3	SSI Supplement
10	790.0	Legal Non-Citizen Health Care
11	<u>(35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities</u>	
12	\$351.2	Assisted Living
13	<u>(45-04-10) Public Safety – Alcoholic Beverage Control and Tobacco Enforcement</u>	
14	\$499.0	For Enhanced Enforcement and 3.0 FTE Agents and 1.0 FTE Clerical
15	<u>(95-01-01) Public Education – State Board of Education and Department of Education</u>	
16	\$ 77.7	1.0 ASF FTE School Health Coordinator for statewide training
17	120.0	Professional development of public school staff, promotion of prevention
18		activities in private schools, and prevention and health promotion supplies in
19		public schools
20	70.0	Pilot Life Skills Training Program or other research-based programs

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

1 (b) Effective June 15, 2003, all remaining unallocated funds shall be invested by the Cash  
2 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the  
3 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered  
4 shall be transferred back to the Cash Management Policy Board and reinvested.

5 Section 29. The Delaware Health Fund Advisory Council is directed to submit their proposed  
6 recommendations each fiscal year to the Office of the Budget no later than November 15<sup>th</sup> per Senate Bill  
7 8 as amended of the 140<sup>th</sup> General Assembly. It is the intent of the General Assembly that the Delaware  
8 Health Fund Advisory Council will present their proposed recommendations before the Joint Finance  
9 Committee in a public budget hearing. The Delaware Health Fund Advisory Council is also directed to  
10 meet, and with the assistance of a facilitator from an academic institution, to reassess the hearing and  
11 recommendation process for the awarding of tobacco funds. The Council will submit its report on  
12 process recommendations to the Joint Finance Committee no later than August 15, 2003.

13

# LEGISLATIVE

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2       Section 30. 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 31. 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 32. 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 33. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet  
16 position as determined by the Compensation Commission. Such compensation may be adjusted by the  
17 Legislative Council as defined in 29 Del. C. §1110(e).

18       Section 34. Section 27 of this Act provides continuing appropriations to the Office of the  
19 Controller General (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such  
20 funds shall be approved by both the Speaker of the House and the President Pro Tempore of the Senate on  
21 issues arising from planning for and implementation of neighborhood schools.

# JUDICIAL

1  
2        Section 35. 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 36. 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 Budget Director and the Controller General.

20       Section 37. Notwithstanding any other provisions of the Delaware Code to the contrary,  
21 beginning retroactively with the fiscal year ending June 30, 2003, any unencumbered Victim  
22 Compensation Fund balance in excess of \$4,500,000 as of June 30 shall be deposited into the “Crime  
23 Rehabilitation Fund,” which is hereby created. From the Crime Rehabilitation Fund, \$424.8 ASF shall be  
24 transferred to the Victim Offender Mediation Program in the Administrative Office of the Courts, Office  
25 of the State Court Administrator (02-17-01); \$429.3 ASF shall be transferred to Contractual Services in  
26 the Office of the Attorney General (15-01-01) to fund family violence services in New Castle County and

1 \$230.2 ASF shall be transferred to said appropriation to fund family violence services in Kent and Sussex  
2 Counties; \$273.8 ASF shall be transferred to Victims Rights in the Office of the Attorney General and  
3 \$94.0 ASF shall be transferred to Contractual Services in the Department of Correction, Community  
4 Corrections, Probation and Parole (38-06-02) to support a community restorative justice program in New  
5 Castle County. The Victim Offender Mediation Committee shall determine which programs are to be  
6 awarded funds from the Victim Offender Mediation Program.

7 Beginning with the fiscal year ending June 30, 2004, any unencumbered Crime Rehabilitation  
8 Fund balance in excess of \$1,500,000 as of June 30 shall be deposited into the General Fund.

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

12 Section 38. Section 1 of this Act appropriates \$13.0 in Contractual Services to Justice of Peace  
13 Court to support lease obligations associated with the establishment of a new Justice of the Peace Court  
14 facility located in the Town of Frankford.

15 Section 39. Upon the approval of a plan submitted to the Budget Director, Controller General  
16 and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer  
17 positions from individual courts to the Administrative Office of the Courts for the purpose of further  
18 centralizing personnel, finance, collections and filing/records management functions therein.  
19 Notwithstanding any other provisions of this Act or the Delaware Code to the contrary, positions and  
20 related operating funds may be transferred from Supreme Court (02-01-00), Court of Chancery (02-02-  
21 00), Superior Court (02-03-00), Court of Common Pleas (02-06-00), Family Court (02-08-00) and  
22 Justices of the Peace Courts (02-13-00) to the Administrative Office of the Courts, Office of the State  
23 Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
24 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
25 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle  
26 County may be considered for transfer under this section. In the cases where Merit System positions are  
27 transferred, the incumbents shall retain their Merit System status.



1           Section 40. Amend 29 Del. C. § 5903(16) by striking the first sentence of said paragraph and  
2 substituting in lieu thereof the following: “All judges or other members of the state judiciary, referees,  
3 jurors and others appointed by the judiciary, but excluding all other employees of the Court of Common  
4 Pleas, with the exception of the Court Administrator and one judicial secretary for each judge, and the  
5 Justice of the Peace Court system with the exception of the Court Administrator.”

6           Section 41. Section 1 of this Act appropriates \$400.0 to the Office of the Budget, Contingencies  
7 and One-Time Items (10-02-04) for the purpose of providing legal services to the indigent. Upon the  
8 concurrence and approval of the Budget Director and the Controller General, \$200.0 of this amount shall  
9 be used by the Administrative Office of the Courts, Office of the State Court Administrator (02-17-01)  
10 exclusively for civil legal services to the indigent with the guidance of the Delaware Bar Foundation.  
11 Upon the concurrence and approval of the Budget Director and the Controller General, the remaining  
12 \$200.0 may be used to cover costs in the Administrative Office of the Courts, Office of the State Court  
13 Administrator (02-17-01) associated with the following: Conflict Attorneys, CASA Attorneys, Family  
14 Court Civil Attorneys, Court Appointed Attorneys/Involuntary Commitment, and Interpreters.

15

# EXECUTIVE

Section 42. (a) Section 1 of this Act appropriates \$1,925.0 to the Office of the Budget (10-02-01) for Technology Department. For Fiscal Year 2004 the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

<u>DEPARTMENT / AGENCY</u>	<u>SERVICE NEED</u>
Executive	
Office of State Personnel	State Payroll System Upgrade
Other Elective	
Auditor of Accounts	Audit Tracking System
State Treasurer	Automated Envelope Processing
Safety and Homeland Security	
Special Investigation	Enforcer Maintenance

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

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

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

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

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

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

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

22 (e) All projects executed between the Department of Technology and Information, the Budget  
23 Office, and the concerned department/agency, the Department of Technology and Information shall  
24 maintain staff support to the benefit of the department/agency at the projected level of effort (subject to  
25 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 information technology projects without the  
3 express written approval of the Budget Director.

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

8 Section 43. All agencies are directed to remit payment for services rendered by the Department  
9 of Technology and Information within 30 days of receipt of invoice. Services may include, but are not  
10 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional  
11 services, and data processing services.

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

19 Section 44. The General Assembly finds that the establishment of the federal Temporary Aid to  
20 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
21 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
22 Account for Children’s Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall  
23 be available to mitigate to the extent possible, projected deficits in TANF supported programs within  
24 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall  
25 require the approval of the Budget Director and Controller General.

26 Section 45. The amount appropriated to the Office of the Budget, Contingency and One-Time  
27 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of

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

14 Section 46. (a) For Fiscal Year 2004, 29 Del. C. § 6529 is interpreted to include the ability to  
15 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
16 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
17 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
18 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring  
19 requests shall also require the review and approval of the Controller General prior to filling.

20 (b) In the event the authority granted in subsection (a) of this section is implemented, Chapters  
21 3.0000 and 13.0000 of the Merit Rules notwithstanding, the State Personnel Director with the approval of  
22 the State Budget Director shall have the authority to extend temporary promotions based on agency need  
23 until the hiring review process has ended. At the time the hiring review process has ended, those  
24 temporary promotions granted during the hiring review process shall be subject to the limitations  
25 identified in the Merit Rules governing the duration of temporary promotions.

26 Section 47. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies  
27 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used

1 to make adjustments in the amount of state special fund appropriations in the event additional state special  
2 funds are received which were not previously anticipated. Such adjustments shall be made in accordance  
3 with the approval of the Budget Director and the Controller General.

4 Section 48. Section 1 of this Act provides an appropriation to Office of the Budget,  
5 Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time  
6 Appropriations in the amount of \$1,487.5 shall be non-recurring expenditure items. The Budget Director  
7 shall transfer the appropriations as itemized to the departments. Each receiving department shall identify  
8 the line item, object code and, for all practical purposes, complete and separate accountability for each  
9 appropriation amount transferred. No appropriation shall be transferred without the Budget Director and  
10 the Controller General approvals. Any one-time appropriation for computer hardware, software and  
11 telecommunications, which contemplates the development of computer-related systems, shall be  
12 transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01).  
13 The expenditure of computer or computer related funds shall be subject to the restrictions of the  
14 Development Fund.

15 Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be  
16 included, or be considered, as a part of the budget request for the Fiscal Year 2005 Appropriation Bill.

17 Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items  
18 (10-02-04), are subject to the following terms and conditions:

19	<b>Account</b>		<b>Fiscal Year</b>
20	<b>Codes</b>	<b>Remarks</b>	<b>Appropriation</b>
21	(01-08-02)	Conference Materials	2.0
22	(10-03-01)	Base Realignment and Closure Act	25.0
23	(20-03-01)	Bill of Rights	176.0
24	(20-03-01)	Historical Markers	54.0
25	(35-04-01)	Computers	6.0
26	(38-04-03)	Radios for Correction Officers	8.8
27	(45-06-09)	Replacements for Vests	80.0
28	(65-01-04)	Backhoe for Blackbird Forest	65.0
29	(70-01-01)	2004 Presidential Primary	219.9



1 (iv) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program  
2 within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
3 General Assembly that these funds shall be used together with non-state contributions to  
4 the Delaware Business Marketing Program. Non-state contributions may be made in cash,  
5 or in-kind. Non-state cash contributions shall be deposited in a special fund for business  
6 marketing and recruitment purposes only. Non-state in-kind contributions shall be valued  
7 at their fair market value and recorded in records maintained by the Delaware Economic  
8 Development Authority in connection with the Delaware Business Marketing Program.  
9 Expenditures of the program shall be divided between non-state contributions and state  
10 funds for any fiscal year's appropriations such that non-state contributions are not less than  
11 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to  
12 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-  
13 kind contributions. These funds shall not be used for hiring full-time employees. On or  
14 before April 1, 2004, the Director of the Delaware Economic Development Office shall  
15 provide to the Budget Director and the Controller General a report on the Delaware  
16 Business Marketing Program. The report shall include an itemized list of non-state cash  
17 and in-kind contributions received, total expenditures and an assessment of the program to  
18 date.

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

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

25 Section 52. The Delaware Economic Development Office, Office of the Director (10-03-01) will  
26 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.  
27 Funding for this grant shall be maintained at current levels.



1           Section 53. Section 1 of this Act includes a General Fund appropriation for Contractual Services  
2 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual  
3 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140<sup>th</sup> General  
4 Assembly through the fiscal year ending June 30, 2004.

5           Section 54. Section 1 of this Act appropriates \$2,056.6 ASF to the Delaware Tourism Office. Of  
6 this amount, \$615.4 shall be allocated to "Other Items" as designated in Section 1 of this Act and payable  
7 by the Delaware Tourism Office in quarterly allotments. The first installment shall be paid by September  
8 30, 2003 or as otherwise approved by the Budget Director and the Controller General.

9           Section 55. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
10 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a  
11 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.  
12 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
13 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
14 Board shall develop rules and regulations for the application and award of the grants and matching grants.  
15 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by  
16 April 1, 2004, detailing the usage of the funds herein authorized. Said report shall also contain an  
17 assessment of the economic impact of the grants programs and effectiveness of extending visitors stays.  
18 If subsequent to the enactment of this Act, Public Accommodations revenue should prove greater than the  
19 budgeted amount of Fiscal Year 2004, the first \$50.0 ASF shall be used to restore full funding for the  
20 Matching Grants and Grant appropriation to \$250.0 ASF. In this event, the Matching Grant portion of the  
21 distribution shall be \$200.0 ASF and the Grant portion shall be \$50.0 ASF.

22           Section 56. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
23 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
24 contained in Section 1 at any time during Fiscal Year 2004, the Budget Director and Controller General  
25 are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost  
26 line.

1           Section 57. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
2 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
3 Kalmar Nyckel. During the period beginning July 1, 2003, and ending on June 30, 2004, the State of  
4 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
5 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
6 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
7 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
8 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
9 behalf of the State of Delaware and the Riverfront Development Corporation.

10           Section 58. The Delaware Economic Development Office is authorized to develop and submit a  
11 plan to transition employees to a re-engineered organization focusing on building partnerships with  
12 Delaware's key industry clusters. The Office shall submit the plan to the members of the Joint Finance  
13 Committee and Budget Director and the Controller General for approval on or before September 1, 2003.  
14 If the transition plan is authorized by these parties, the Office shall have the authority to implement the  
15 plan.

16           Section 59. Any other statutory provision notwithstanding, any change to the Merit Rules  
17 required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State  
18 Personnel.

19           Section 60. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-  
20 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall  
21 be Human Resource Officers who will work on personnel issues for the Department of Transportation.  
22 The source of funding for these positions shall be the Department of Transportation, Human Resources  
23 (55-01-04) and that agency shall reimburse the Office of State Personnel quarterly for all Personnel Costs  
24 and Other Employee Costs associated with these two positions.

25           Section 61. The State Employees Pension Benefits Review Committee will continue to review  
26 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the

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

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

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

10 Section 62. Whenever the annual valuation of the market value of the assets of the Special  
11 Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special  
12 pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20  
13 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

14 Section 63. The Board of Pension Trustees may allocate the pension/health insurance monies  
15 received from the State during any month to ensure that funds are available to pay health insurance  
16 premiums for retirees in each month.

17 Section 64. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of  
18 Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental  
19 internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental  
20 Internship Program. This program also will serve clients in the Community Mental Retardation Program.

21 Section 65. Section 1 of this Act makes an appropriation of \$250.0 ASF to the Office of the  
22 Budget Contingencies and One-Times (10-02-04) received as a result of the Master Settlement  
23 Agreement on tobacco funds. These funds may be utilized in the event that the Cancer Incidence and  
24 Mortality Initiatives need additional resources during the fiscal year. Any request for utilization of funds  
25 shall be initiated by the Secretary of Health and Social Services and requires the approval of the  
26 Controller General and the Budget Director prior to expenditure.

1           Section 66. The Delaware Health Care Commission currently anticipates funding the Uninsured  
2 Action Plan within existing resources. In the event these resources do not fully fund the program, the  
3 Commission may request up to \$500.0 of additional funds from the Budget Office subject to approval of  
4 the Controller General.

5           Section 67. The Urban Health and Environmental Learning Project (UHELP) currently  
6 anticipates funding their programs within existing resources. In the event these resources do not fully  
7 fund the program, UHELP may request up to \$50.0 of additional funds from the Budget Office subject to  
8 approval of the Controller General.

9           Section 68. Section 1 of this Act appropriates \$2,047.5 to the Delaware Institute of Medical  
10 Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

11           Jefferson Medical College	\$1,000.0
12           Philadelphia School of Osteopathic Medicine	237.5
13           University of Delaware	50.0
14           Christiana Care Health System	200.0
15           Scholarships/Loans	460.0
16           Loan Repayment	<u>100.0</u>
17	\$2,047.5

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

20           Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial  
21 assistance for students attending the Jefferson Medical College and \$60.0 is to be used for students  
22 attending Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for  
23 restructuring grant/loan program in effect since 1993 into either a scholarship program or a loan program  
24 with more favorable tax consequences than the previous program. Any loan or scholarship program  
25 developed by the DIMER Board will be repaid under terms and conditions that will be coordinated with  
26 the Delaware Higher Education Commission, who shall be responsible for monitoring and enforcement.  
27 In designing either a scholarship or loan program, the DIMER Board will consider the need to assure that

1 there is a continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be  
2 used to recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware.  
3 Recruitment tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan  
4 repayment programs will be approved by the Delaware Health Care Commission, the Budget Director and  
5 the Controller General.

6 Section 69. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal  
7 Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the  
8 Domestic Violence Coordinating Council. This position shall be an exempt position and shall be  
9 excluded from classified service as defined under 29 Del. C. § 5903.

10 Section 70. Amend 11 Del. C. §4101(d)(1) by deleting the words "upgrading of videophone  
11 systems used by state and local law enforcement agencies and the courts." and inserting in lieu thereof the  
12 words "purchase and upgrade of videophone systems used by state and local agencies in the criminal  
13 justice system."

14 Section 71. There is hereby established the Delaware Sentencing Research and Evaluation  
15 Committee. The Committee shall be a permanent committee, and shall consist of the incumbent members  
16 of the SENTAC Research Committee. The Office of the Budget and the Controller General shall be  
17 notified of Committee meetings and a representative of each invited to attend and participate in all such  
18 meetings. The immediate past Chair of the Sentencing Accountability Commission (SENTAC),  
19 Honorable Richard S. Gebelein, will serve as Committee liaison to SENTAC, and will present all findings  
20 and reports to SENTAC in a timely fashion for their review and comment.

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

26 The Statistical Analysis Center will provide support for the research plan as directed by the  
27 Committee and approved by the Office of the Budget. The Statistical Analysis Center is authorized at any

1 time to contract employees on behalf of the Committee if and as funds become available from whatever  
2 source, as directed by the Committee and approved by the Office of the Budget. Notwithstanding the  
3 provisions of 29 Del. C. § 69, the Committee is authorized to seek and receive public and private funds  
4 and to enter into contracts as necessary to fulfill its mission.

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

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

1           **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2           Section 72. Amend 29 Del. C. §6528 by striking the current subsection (e) in its entirety and  
3 substituting in lieu thereof the following:

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

10          Section 73. The Chief Information Office shall not make any changes to the department’s  
11 compensation plan regarding any aspect of employee compensation without the approval of the State  
12 Personnel Director, Budget Director and the Controller General. Further, sufficient funding within the  
13 department must be available for any change to be approved.

14          Section 74. The state government of Delaware, recognizing the inherent value in implementing  
15 common standards, has chosen Windows 2000 as its statewide network platform and messaging system.  
16 In an effort to establish a single, common electronic messaging platform throughout the state, no state  
17 agency/department shall migrate, change or switch to an alternative messaging platform without the  
18 express written consent of the Chief Information Officer, the State Budget Director and the Controller  
19 General. Any agency seeking exemption from this requirement must submit a request to the Chief  
20 Information Office stating clearly reasons for migrating to an alternative platform.

## OTHER ELECTIVE OFFICES

1  
2        Section 75. 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 76. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-  
5 match funding for federally-mandated audit services. If, during the first three months of any fiscal year,  
6 the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the  
7 Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from  
8 the Indirect Cost Account.

9        Section 77. Amend 18 Del. C. §305 (e) by inserting in the first sentence thereof after the word  
10 “year”, but before the word “shall” the following: “effective as of June 30<sup>th</sup>, 2003”; and by deleting the  
11 number “\$300,000” as it appears therein and substituting in lieu thereof the number “\$700,000.”

12        Section 78. Section 1 of this Act contains ASF position authorizations and associated  
13 appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-  
14 03-02). Said authorizations and appropriations include an authorization for 1.0 Director of  
15 Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

16        Section 79. Section 1 of this Act provides an ASF appropriation of \$3,225.5 to the State  
17 Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27,  
18 for the purpose of providing staff support and operational expenses, including payment of fees for  
19 banking services. The \$3,225.5 in interest income on bank deposits shall be coded as special fund  
20 revenue to provide funds for operation of the Cash Management Policy Board.

21        Section 80. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data  
22 Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the  
23 Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated  
24 with and approved by the Chief Information Officer of the Department of Technology and Information  
25 and the Secretary of Finance.



1           Section 81. Amend 29 Del. C. §6059 by striking said section in its entirety and substituting in lieu  
2 of the following: “The costs of administering the deferred compensation program, excluding personnel  
3 costs, shall be borne by the participants of the program in accordance with regulations adopted by the  
4 Council.”

5           Section 82. The State Treasurer’s Office shall develop a rate for the purpose of recovering costs  
6 associated with the state’s acceptance of funds through the use of credit, debit and purchasing cards. Cost  
7 recoverable activities shall include online transactions as well as traditional card transactions. The initial  
8 rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The  
9 Treasurer’s Office may initiate an automated revenue reduction process, equal to the approved rate, for all  
10 cash receipts received by the aforementioned methods. The Treasurer’s Office shall provide the agency  
11 with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an  
12 automated revenue reduction process the Treasurer’s Office may invoice a state agency for necessary  
13 reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant  
14 Services fees.

15           Section 83. The State Treasurer’s Office, with the assistance of the Department of Technology  
16 and Information and the Delaware Government Information Center, where appropriate, shall evaluate and  
17 approve the payment component of all new web-based technology initiatives involving the electronic  
18 remittance of funds to the state. Specifically, those projects promoting the use of online credit card  
19 payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of  
20 electronic funds transfer shall be subject to this joint review and approval process. For those agencies that  
21 already use online credit card payment, online debit card payment, Automated Clearing House payment,  
22 “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this  
23 requirement unless and until such time as their current electronic payment component must undergo any  
24 type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility  
25 of implementing the state’s designated payment component. A standard evaluation form will be designed  
26 by the State Treasurer’s Office with the assistance of the Department of Technology and Information and  
27 the Government Information Center, where appropriate, and approved by the Office of the Budget.

1           Section 84. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the  
2 Department of Technology and Information, may approve pilot projects for the purpose of electronically  
3 transmitting remittance advices to those employees or contractors receiving payments via direct deposit  
4 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their  
5 request and documentation of cost savings in accordance with the guidelines established by the Office of  
6 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll  
7 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time  
8 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer  
9 and the Budget Director.

10           Section 85. The positions of Director and Deputy Director of the Department of Insurance, Fraud  
11 Prevention Bureau (12-03-01) will be classified as merit positions.

# LEGAL

1  
2        Section 86. Section 1 of this Act authorizes an appropriation for Contractual Services for the  
3 Office of Attorney General (15-01-01). Of this amount, \$394.3 shall be used for the purpose of providing  
4 services covering family violence in New Castle County, and \$211.3 shall be used for the purpose of  
5 providing services covering family violence in Kent and Sussex counties.

6        Section 87. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the  
7 Office of Attorney General (15-01-01):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Section 88. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 GF and 22.0  
25 split-funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General to support  
26 the Child Support Enforcement function. The Child Support Enforcement function in the Attorney  
27 General's Office will operate on a reimbursement basis, wherein the State makes the initial expenditures

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

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

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

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

18 Section 89. Section 1 of this Act makes an appropriation to Contingency- Attorney Pay Plan in  
19 the Office of the Budget, Contingencies and One-Time Items (10-02-04). This appropriation is for the  
20 purpose of funding the salary matrices of the Office of the Attorney General (15-01-01) and the Office of  
21 the Public Defender (15-02-01). Of the total amount, \$185.0 is allocated for the Office of the Attorney  
22 General, and \$65.0 is allocated for the Office of the Public Defender. Upon requesting contingency  
23 funds, each agency must submit for approval by the Budget Director and Controller General a report of  
24 personnel activity relating to salary plan movements with a description of the need to use said funds.  
25 Total personnel expenditures by these agencies may not exceed total personnel appropriations.

26

# STATE

1  
2       Section 90. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker  
3 Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0  
4 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

5       Section 91. Section 1 of this Act provides an appropriation to the Department of State, Office of  
6 the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that  
7 amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

8       Section 92. (a) Section 1 of this Act establishes a special fund appropriation entitled Technology  
9 Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 8 Del.  
10 C. § 391(h)(1) will be deposited into this fund to be used for technological and infrastructure  
11 enhancements, ongoing maintenance, operational expenses for Corporations, electronic commerce and  
12 library initiatives. Quarterly reports regarding the status of this fund shall be made by the Department of  
13 State to the Budget Director and the Controller General.

14               (b) Of the amount appropriated in Section 1 of this Act, \$250.0 ASF may be used for the  
15 continuation of third party support for the State's World Wide Web portal for up to six months and up to  
16 \$175.0 ASF to support statewide e-government initiatives selected by the Delaware Government  
17 Information Center. In addition, up to \$175.0 ASF may be used to reimburse the Department of  
18 Technology and Information for actual expenditures incurred to acquire the necessary infrastructure to  
19 move the portal in to the State's network. Software and hardware maintenance costs shall become the  
20 responsibility of the Department of Technology and Information. Up to 2.0 ASF FTEs and the associated  
21 personnel costs may be added to the respective support section within the Department of Technology and  
22 Information's organization, with the approval of the Budget Director and the Controller General. The  
23 Department of Technology and Information (11-00-00) shall only assume and administer the technical  
24 responsibility of the portal. Technical shall be defined in this section as hardware, software, networking,  
25 programming or other information technology not related to information policy or the manner in which  
26 information is presented, disseminated, or displayed either virtually or otherwise.

1           Section 93. Section 1 of this Act provides an appropriation to the Department of State, Office of  
2 the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the  
3 discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

4           Section 94. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage  
5 Commission (20-01-05) shall be exempt from the Merit System.

6           Section 95. The Delaware Heritage Commission shall investigate which out of print books and  
7 writings on Delaware history should be considered for republication. Further, the Delaware Heritage  
8 Commission shall investigate what writings in these categories would be valuable for republication. A  
9 report shall be made to the Controller General and Budget Director by December 1, 2003.

10          Section 96. Section 1 of this Act includes an appropriation to the Department of State, Division  
11 of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation  
12 Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art  
13 for placement in state museums.

14          Section 97. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State  
15 Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits  
16 and art objects in Legislative Hall.

17          Section 98. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
18 Office of the State Banking Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for  
19 costs associated with the collection and administration of the Bank Franchise Tax.

20          Section 99. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of  
21 \$2,869.5 for Library Standards. Of that amount, Libraries may reserve up to \$286.9 for planning and  
22 evaluation grants to determine each library's attainment of state and federal library standards. The  
23 remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount  
24 allocated to that library, one installment upon signature of the contract and the second installment in  
25 January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if  
26 unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an  
27 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.

# FINANCE

1  
2       Section 100. The Department of Finance, Office of the Secretary is authorized during the  
3 fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and  
4 payment of other costs incidental to the implementation and maintenance of computer systems at the  
5 Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and  
6 shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose of maintaining Revenue's  
7 mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C. subchapter  
8 IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system  
9 maintenance with the Department of Technology and Information.

10       Section 101. Revenue (25-06-01) is authorized to establish and maintain a special fund with the  
11 State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent  
12 State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may  
13 provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons;  
14 and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit  
15 of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the  
16 collection of delinquent taxes. A detailed report on all expenditures from and collections to this special  
17 fund shall be sent annually to the Budget Director and the Controller General. Unencumbered balances  
18 on June 30 in excess of \$275.0 shall revert to the General Fund.

19       Section 102. The Director of Revenue shall have the authority to accept, on whatever terms and  
20 conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue  
21 has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit  
22 card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the  
23 Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of  
24 taxes by credit cards.

25       Section 103. The Director of Revenue shall have the authority to enter into agreements according  
26 to which contingency and other fees are provided to finders of property to be escheated to the State or to

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

14 Section 104. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
15 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
16 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
17 the Budget Director, provided that the total operating budget for this fiscal year shall not exceed 20  
18 percent of gross sales as limited by 29 Del. C. § 4815(a).

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

23 Section 105. There shall be established a special fund for the purpose of receiving the proceeds  
24 of liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this  
25 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
26 issues of the United States Treasury or investments of comparable risk. The Secretary may at his  
27 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

1           Section 106. Pursuant to 29 Del. C. 4815(b)(2), funds from the State Lottery Fund shall be  
2 released to an appropriately established account within the Department of Health and Social Services,  
3 Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the  
4 amount of which shall be based on the results of video lottery operations conducted during the  
5 immediately preceding month.

6           Section 107. (A) Amend §1816(a), Title 30 of the Delaware Code by adding two new sentences  
7 between the current two sentences to read as follows:

8           “\$100,000 of the credit awards in a fiscal year must be reserved for distribution to qualified  
9 resident curators. If in any fiscal year there are insufficient qualified resident curators to exhaust  
10 this allotment, the unused credit amount will be available in the next fiscal year for award to  
11 persons qualifying under subdivisions §1813(a)(1) or §1813 (a)(2) of this section.”

12           (B) Amend §1812, Title 30 of the Delaware Code by redesignating subsections (13), (14), and  
13 (15) as subsections (14), (15), and (16) respectively and by adding to §1812 a new subsection “(13)” to  
14 read as follows:

15           “(13) “Resident curator” shall mean a person who has entered into a contractual agreement with  
16 the owner of a qualified property in which the person agrees to pay for full restoration of the  
17 owner’s qualifying property in exchange for a life tenancy in the property without remunerative  
18 compensation to the owner for the life tenancy.”.

19           (C) Amend §1812(14)b., Title 30 of the Delaware Code by adding the words “or property  
20 under contract with a resident curator,” between “property” and the comma (“,”).

21           (D) Amend §1813(a), Title 30 of the Delaware Code by redesignating the current paragraph (3)  
22 as (4) and by adding a new paragraph (3) to read as follows:

23           “(3) one hundred percent (100%) of the qualified expenditures made in the rehabilitation of a  
24 certified historic property qualifying for credit award as a resident curatorship property regardless  
25 of eligibility for a federal tax credit under §47 of the Internal Revenue Code [26 U.S.C.S. §47].”.

1 (E) Amend §1813(e), Title 30 of the Delaware Code by adding as the final sentence of  
2 subsection (e) the following: “With respect to tax credits awarded for qualifying expenditures by a  
3 resident curator, no single certified rehabilitation may receive a tax credit in excess of \$5,000.”.

4 (F) Amend §1814(a), Title 30 of the Delaware Code by adding between the words “subchapter”  
5 and “may“ in the first sentence the phrase “, except a person engaged in a resident curator relationship,” .

6 (G) Amend §1815(d), Title 30 of the Delaware Code by adding the following at the end of  
7 subsection (d) to read as follows: “The Division of Revenue shall also by January 1, 2004 establish  
8 regulations and develop appropriate procedures specific to taxpayers who qualify as resident curators.  
9 The Division of Historical and Cultural Affairs shall have the same authority granted in section (b) of this  
10 subchapter relative to resident curators.”

11 (H) Regulations and procedures established pursuant to section (G) must include, but not  
12 limited to, the following stipulations:

- 13 1. Curatorship property is subject to periodic inspection by State officials during the tax years in  
14 which a credit is applicable.
- 15 2. Improvements to curatorship property must be completed within five years from the date of  
16 execution of the contract between the owner and the resident curator.
- 17 3. Curatorship property may not be used for commercial purposes.

18

# ADMINISTRATIVE SERVICES

1  
2       Section 108. During Fiscal Year 2004, 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 109. Section 1 of this Act appropriates contractual services to Office of Disability Affairs  
7 (30-01-20). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

8       Section 110. Upon receipt of information from the DMA (Delaware Manicurist Alliance), the  
9 Board of Barbering and Cosmetology shall publish a newsletter periodically to its members containing  
10 pertinent materials relative to nail technology.

11       Section 111. During the fiscal year, the Department of Administrative Services, Facilities  
12 Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings  
13 known as the Kent County Courthouse, the Sussex County Courthouse, Absolom Jones/Belvedere State  
14 Service Center and New Castle County Courthouse. The retained portion must be deposited as per state  
15 laws and shall be disbursed per Section 1 of this Act.

16       Section 112. For energy backcharge purposes, the Department of Administrative Services (host  
17 department) the current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten percent of the  
18 Public Safety Building, for which energy payment is the responsibility of the host department. The  
19 Department of Transportation is responsible for paying the Motor Fuel Tax portion of the energy bills  
20 upon request for payment by the host department.

21       Section 113. The Secretary of the Department of Administrative Services shall work in concert  
22 with the State Court Administrator in the Administrative Office of the Courts, Office of the State Court  
23 Administrator to prioritize projects and ensure completion of necessary renovations and equipment  
24 acquisitions within the court system.

25       Section 114. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for  
26 employee parking in the Government Center Parking Garage as long as such payments are continuances

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

3 Section 115. Personnel in the Department of Administrative Services, Facilities Management  
4 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive  
5 compensation at their straight time rate of pay for all overtime services performed beyond the normal  
6 work week. The method of compensation is subject to the availability of funds and/or the operational  
7 needs of the Department of Administrative Services, Facilities Management.

8 Section 116. (a) Notwithstanding any state law to the contrary, the Department of  
9 Administrative Services may implement a pilot videoconferencing initiative including the utilization of no  
10 more than six videoconferencing units. State agencies participating in the pilot program may be assessed  
11 and shall pay the charge initiated in the Fiscal Year 2003 for the usage of videoconferencing services and  
12 equipment. Such payments are considered allowable charges to all sources of state funding; sources  
13 include General Fund, Appropriated Special Funds, Non-appropriated Special Fund, Federal Funds and  
14 Transportation Trust Fund.

15 (b) The Department of Administrative Services shall provide a report of the findings of the pilot  
16 videoconferencing program to the Governor and General Assembly no later than December 31, 2003.  
17 Said report shall include, but not be limited to, videoconferencing unit utilization and cost benefit realized  
18 by participating agencies.

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

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

24 Section 117. Upon the approval of the Budget Director and the Controller General, the  
25 Department of Administrative Services, Facilities Management (30-05-00) shall be authorized to transfer  
26 up to \$237.4 in Contractual Services from the Administrative Office of the Courts, Office of the State  
27 Court Administrator (02-17-01) to cover operating costs associated with the Kent County Courthouse.

- 1 The actual amount to be transferred shall be based on the date on which the transfer of ownership of the
- 2 Kent County Courthouse is completed and the Department of Administrative Services, Facilities
- 3 Management assumes administrative responsibility for the aforementioned facility.



# HEALTH AND SOCIAL SERVICES

Section 118. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse and Registered Nurse classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 119. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Budget Director and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 120. Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Budget Director and the Controller General.

Section 121. Notwithstanding any other provisions of the Delaware Code, the merit position Nursing Home Director I, Governor Bacon Health Center BP #4554 shall become exempt at such time as the current incumbent vacates such position.

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

1           Section 122. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
2 and Social Services for Title XIX Federal Programs Medicaid- Non-State shall be expended solely in  
3 accordance with the following conditions and limitations:

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

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

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

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

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

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

25           Section 123. Section 1 of this Act includes an appropriation to the Department of Health and  
26 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.

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

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

6 Section 124. Personnel in the Department of Health and Social Services, Division of  
7 Management Services (35-01-30) who respond to weather related emergencies and are not covered under  
8 FLSA, shall be entitled to receive compensation at their straight time rate of pay for all overtime services  
9 performed beyond the normal work week. The method of compensation is subject to the availability of  
10 funds and/or the operational needs of the Department of Health and Social Services, Division of  
11 Management Services.

12 Section 125. Section 1 of this Act provides a tobacco fund appropriation to the Department of  
13 Health and Social Services, Public Health, Community Health (35-05-20). Of that appropriation \$200.0  
14 shall be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program,  
15 \$100.0 shall be used to contract with the Delaware Ecumenical Council and \$47.6 shall be used for a  
16 Delaware School Survey contract with the University of Delaware. In addition \$5,000.0 shall be used for  
17 the implementation of the Cancer Council recommendations, including \$150.0 to contract with Cancer  
18 Care Connection, \$200.0 to contract with the Wellness Community, \$40.0 to contract with the Delaware  
19 Breast Cancer Coalition to provide support services for people with cancer and \$150.0 to the Division of  
20 Social Services (35-07-01) for the treatment of breast and cervical cancer. These funds shall be available  
21 for Fiscal Year 2004 only.

22 Section 126. Section 1 of this Act provides an appropriation to the Department of Health and  
23 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and  
24 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug  
25 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office  
26 of Narcotics and Dangerous Drugs.

1           Section 127. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
3 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based  
4 adult health services clinic serving the Claymont area of New Castle County.

5           Section 128. Section 1 of this Act provides an appropriation to the Department of Health and  
6 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,  
7 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the  
8 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from  
9 the Preventive Health and Health Services Block Grant or other federal funds.

10          Section 129. Section 1 of this Act provides an appropriation of \$40.0 to the Department of  
11 Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
12 individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
13 “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or  
14 contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public  
15 Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
16 ambulance company on a form provided by Public Health, indicating that the person for whom the  
17 vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
18 in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
19 maintained by Public Health. To insure the success of this program, Public Health and representatives of  
20 the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all  
21 parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of  
22 volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the  
23 needs of the volunteer community have been met, similar assistance may be offered to other fire and  
24 ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this  
25 fund, may also be spent to provide any required post vaccination antibody testing in order to assure  
26 adequate protection has been achieved.

1           Section 130. Section 1 of this Act provides an appropriation for the Department of Health and  
2 Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
3 childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
4 eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

5           Section 131. The State desires to establish a permanent funding program for rodent control  
6 activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent  
7 County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
8 Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
9 be made no later than September 1, 2004; establish program objectives and spending guidelines; require  
10 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into  
11 the next fiscal year.

12           Section 132. Public Health, Community Health (35-05-20) will receive a portion of the Federal  
13 Medicaid reimbursement for services to Medicaid eligible students in School Based Health Centers. The  
14 division shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled  
15 School Based Health Centers to support the cost of this initiative. Up to \$400.0 of the remaining revenue  
16 will be deposited into an ASF account in Social Services (35-07-01) and used for expenses associated  
17 with the normal operations of the Medicaid-Non-State program. This amount may be increased subject to  
18 approval from the Budget Director and Controller General.

19           Section 133. Section 1 of this Act appropriates \$7,320.8 in Contractual Services to the  
20 Department of Health and Social Services, Division of Public Health, Community Health (35-05-20), of  
21 that appropriation \$10.0 is to be used to purchase chemical reference materials for the Office of  
22 Environmental Health Evaluation.

23           Section 134. It is the intent of the General Assembly that BP #s 86608, 85559 and 86611, who  
24 perform bio-terrorism related activities, and are located in Community Services (35-05-20) will be  
25 transferred to the Department of Safety and Homeland Security upon approval of the Centers for Disease  
26 Control. In the interim, a memorandum of understanding shall be agreed to by the two departments  
27 which outlines the responsibility and accountability of the functions of the three positions.

1           Section 135. Section 1 of this Act provides an appropriation to the Department of Health and  
2 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
3 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable  
4 graduate nurses to take graduate courses to increase their skills in specialty areas.

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

9           Section 136. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to  
10 receive reimbursement for providing a work study program for local nursing schools and for assigning  
11 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.  
12 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the  
13 proceeds from the aforementioned account.

14           Section 137. Section 1 of this Act provides an appropriation to the Department of Health and  
15 Social Services, Substance Abuse and Mental Health, Substance Abuse (35-06-40) in Contractual  
16 Services. In addition to this General Fund appropriation, the Director of Substance Abuse and Mental  
17 Health, shall ensure that the amount of \$60.0 be expended from available federal funds to contract for  
18 employment, alcohol, and drug counseling and referral services for youth and adults to encourage an  
19 alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be expended from  
20 available federal funds to contract for employment, alcohol, and drug counseling and referral services for  
21 youth and adults to encourage an alcohol and drug-free environment in the Claymont community.

22           Section 138. Section 1 of this Act makes appropriations to the Department of Health and Social  
23 Services, Social Services (35-07-01), for various programs that pay for health care. In the Medicaid  
24 program, federal regulations mandate that drug companies must provide rebates in order to participate in  
25 the program. Social Services shall establish a drug rebate process for any prescription benefits provided  
26 to clients enrolled in the non-Medicaid programs administered by the division including but not limited  
27 to: the Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription

1 Assistance program and the Legal Non-Citizen Health Care program. Prescription benefits for clients  
2 enrolled in these programs shall not be covered under the individual program. Instead, prescription  
3 benefits shall be covered through a program that provides prescription benefits exclusively. Clients shall  
4 be eligible for a prescription benefit to the extent determined by the policies adopted by the Division of  
5 Social Services. Each fiscal year, the Division shall transfer such funds as it determines necessary from  
6 the individual program appropriations into accounts established for the Non-Medicaid Prescription  
7 Benefit Program. The funds transferred into accounts established for the Non-Medicaid Prescription  
8 Benefit Program shall be used to cover prescription benefits only. The division shall establish a rebate  
9 process for the Non-Medicaid Prescription Benefit Program that it determines is in the best interests of the  
10 citizens who are being served. The rebate amount shall be calculated using the full methodology  
11 prescribed by the federal government for the Medicaid program. In addition, the division is authorized to  
12 negotiate for additional rebates with drug companies for both Medicaid and the Non-Medicaid  
13 Prescription Benefit Program. Notwithstanding any provisions of the Delaware Code to the contrary, the  
14 division shall deposit any drug rebate funds received as well as third party insurance collections (minus  
15 retention amounts) and other collections into the appropriate Social Services program account and used to  
16 meet program costs.

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

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

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

1           Section 139. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under  
2 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management  
3 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and  
4 shall have the authority to allocate such funds, and may advise on the use of other funds specifically  
5 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and  
6 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to  
7 Three, selected through the early intervention process and to ensure coordination with the Program for  
8 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions  
9 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate  
10 this program. The lead agency shall report to the Budget Director and the Controller General on additional  
11 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that  
12 will be deposited into the General Fund in Fiscal Year 2004.

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

21           Section 140. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Social Services (35-07-01) for Renal Disease.

23           Public Health (35-05-00) will provide the following support for the Chronic Renal Disease  
24 Program: 1) provide staff support for the Chronic Renal Disease Advisory Committee, including the  
25 maintenance of the committee membership and appointment system; 2) assist in developing programs and  
26 other public health initiatives designed to prevent chronic renal disease; and, 3) carry out educational



1 programs for health professionals and the public to increase general knowledge of the prevention and  
2 treatment of chronic renal disease.

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

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

9 Section 141. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
10 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
11 through voluntary contributions from medical facilities and from federal matching funds. These positions  
12 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
13 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
14 State of Delaware. Other medical facilities throughout the state may participate in this program.

15 Section 142. Section 1 of this Act provides an appropriation to the Department of Health and  
16 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
17 II system maintenance. Social Services shall have the authority to contract for positions needed to  
18 provide system maintenance. The division shall also have the authority, with approval from the Budget  
19 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to  
20 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

21 Section 143. The Department of Health and Social Services is authorized to contract with a  
22 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
23 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
24 entering into any such contracts the department will obtain the approval of the Secretary of the  
25 Department of Administrative Services.

26 Section 144. Section 1 of this Act makes ASF appropriations to the Department of Health and  
27 Social Services, Social Services (35-07-00) for the Prescription Assistance Program and other programs

1 funded with Tobacco Settlement funds. These funds may be used for both the client services and  
2 administrative costs of the programs.

3 Section 145. Section 1 of this Act appropriates \$2,048.9 in Personnel Costs and 40.4 FTEs to  
4 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
5 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
6 be filled if the September 2003 educational unit count indicates the number of teachers required to meet  
7 caseloads for visually impaired students is greater than the Fiscal Year 2004 complement of teachers.

8 Section 146. Section 1 of this Act provides an appropriation to the Department of Health and  
9 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be  
10 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
11 impaired school children.

12 Section 147. Section 1 of this Act provides an appropriation of \$1,617.2 ASF in the Department  
13 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.  
14 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The  
15 department shall continue its efforts to maintain collections related to child support programs, and all  
16 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

17 Section 148. Section 1 of this Act provides an appropriation to the Department of Health and  
18 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual  
19 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.

20 Section 149. Section 1 of this Act appropriates funding to the Developmental Disabilities  
21 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,  
22 \$57.0 shall be used for the Mary Campbell Center.

23 Section 150. Developmental Disabilities Services, Community Services (35-11-30) receives  
24 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day  
25 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and  
26 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day  
27 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community

1 residential and day program contracts currently funded out of the Purchase of Care and Purchase of  
2 Community Services lines.

3 Section 151. (a) Developmental Disabilities Services (35-11-00) is encouraged, where  
4 appropriate, to reallocate resources so as to maximize community-based residential placements for  
5 persons with mental retardation. Such reallocation initiatives must be made within the total Division's  
6 appropriation limit with the approval of the Budget Director and the Controller General. These  
7 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center  
8 population.

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

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

21 Section 152. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of  
22 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The  
23 division shall be allowed to collect and deposit funds into this account as a result of revenue from  
24 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and  
25 tenant fees.

1           Section 153. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
2 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to  
3 buy them and to publish a Human Services Directory, respectively.

4           Section 154. Section 1 of this Act for Department of Health and Social Services, State Service  
5 Centers, Family Support (35-12-10) includes 3.0 FTE (#59625, #3094, #16224) and \$120.2 Personnel  
6 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the  
7 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

8           Section 155. Section 1 of this Act includes funding for Contractual Services for Department of  
9 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0  
10 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be  
11 distributed annually in a lump sum at the beginning of the contract year.

12           Section 156. The position of Director, Community and Volunteer Services, shall remain exempt  
13 from classified service until such time as the position becomes vacant.

14           Section 157. Notwithstanding any other provisions of the Delaware Code, State employee  
15 recognition funds may be used per existing guidelines to include the recognition of volunteers and other  
16 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

17           Section 158. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
18 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
19 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division  
20 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund  
21 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
22 maintain existing services and provide additional services for adults with physical disabilities. Such  
23 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
24 by the Budget Director and the Controller General.

25           Section 159. Section 1 of this Act makes an appropriation to the Department of Health and Social  
26 Services, Office of the State Medical Examiner (35-04-01). Of the total appropriation, \$78.0 is intended  
27 to fund 2.0 FTES, a Forensic Analyst and a Combined DNA Index System (CODIS) Manager, \$96.0 for

1 DNA sample collection kits and lab supplies, \$1.0 for travel and a one-time appropriation for computers.  
2 This funding is provided for the implementation of House Bill 4 of the 141<sup>st</sup> General Assembly.  
3 Section 160. Section 1 of this Act makes an appropriation to Contingencies and One-Time Items  
4 (10-02-04) for Salary/OEC Contingency to the Office of the Budget (10-02-04). Of the total  
5 appropriation, up to \$100.0 is intended to fund Senate Bill 112 of the 142<sup>nd</sup> General Assembly or similar  
6 legislation.  
7

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 161. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2003, the Budget Director and the Controller General shall transfer \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical Analysis Center (10-02-08).

Section 162. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Budget Director and the Controller General.

Section 163. Section 1 of this Act provides an appropriation of \$588.5 and \$284.3 ASF to the Department of Services for Children, Youth and their Families, Child Mental Health Services, Managed Care Organization (37-04-10). These funds shall be used to implement a Drug Court Program with Family Court. In addition, funds from the Juvenile Accountability Incentive Block Grant (JAIBG) and recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 164. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes vacant, it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

1           Section 165. Funds which are appropriated for foster care of children in Section 1 of this Act in  
2 the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are  
3 made available with the goal of limiting the number of children who remain in foster care for more than  
4 two years. For the year beginning October 1, 2003, the goal will be 220 children. This goal statement is  
5 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
6 272).

7           Section 166. Family Services is hereby directed to formally notify, in advance, the Foster Care  
8 Review Board of any meeting, hearing or other event of which the Board desires notification. Said  
9 notification shall be directed to the Executive Director of the Board.

10          Section 167. As a means of monitoring and improving the excessive expenditure of  
11 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
12 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
13 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report  
14 shall include, but not be limited to, sick leave usage, vacancy rates, training and transportation costs at the  
15 Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect all  
16 actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

17          Section 168. The Department of Services for Children, Youth and Their Families shall report on  
18 a quarterly basis to the Controller General and Budget Director the status of the Stevenson House Facility  
19 in Milford. This report shall include, but not be limited to, staffing vacancies, total budgetary  
20 expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility  
21 condition and capacities, and incident reports.

22          Section 169. Section 1 of this Act provides an Appropriated Special Fund authorization of  
23 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting  
24 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose  
25 Criminal Justice Facility (38-04-06).

26          Section 170. Section 1 of this Act provides an Appropriated Special Fund authorization of  
27 \$113.3 to the Department of Services for Children, Youth and Their Families for the purpose of

1 supporting a Family Court Commissioner to assist in the Child Protection Registry appeal process as  
2 required pursuant to 16 Del. C. c. 9.

3 Section 171. (a) In addition to the positions authorized in Section 1 of this Act for Family  
4 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director  
5 may authorize additional training positions for the purpose of training investigative and treatment  
6 workers.

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

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

21 Section 172. Section 1 of this Act provides an appropriation to the Department of Services for  
22 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$894.4 for  
23 Pass Throughs. It includes:

24	Child Advocacy Center	\$587.7
25	People's Place, Milford	\$ 67.0
26	CHILD, Inc.	\$193.3





# CORRECTION

1  
2       Section 174. (a) Section 1 of this Act includes funding for relief positions in the Department of  
3 Correction, Administration, Human Resources/Employee Development Center (38-01-02). These  
4 positions shall be used primarily for training relief. The Department of Correction shall provide a  
5 quarterly report to the Budget Director and the Controller General detailing the non-training relief  
6 assignments of the staff training relief officers.

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

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

19       Section 175. Section 1 of this Act makes an appropriation to the Department of Correction,  
20 Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of  
21 inmate hospice care.

22       Section 176. Notwithstanding any provision in Title 29, Chapter 69, Delaware Code or any other  
23 law to the contrary, the Department of Correction may approve a subcontractor for the purchase and  
24 delivery of pharmaceuticals pursuant to the Contract #2828 for correctional health services.

25       Section 177. The Department of Correction, Administration, Facilities Maintenance (38-01-40),  
26 receives funding for maintenance and restoration projects in the Budget Act. The department must submit

1 a bi-annual report to the Budget Director and the Controller General, detailing the expenditure of such  
2 funds and the respective projects. The department shall submit a preliminary plan for maintenance  
3 projects for the following fiscal year by October 31, to the Budget Director and the Controller General.

4 Section 178. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
5 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
6 appropriation is 1.0 FTE Administrative Assistant I and Personnel Costs, \$4.4 for Supplies and Materials,  
7 \$8.4 for casual/seasonal, \$5.7 for Contractual Services and \$0.8 for Travel.

8 Section 179. Section 1 of this Act provides an appropriation of \$1,015.5 in the Department of  
9 Correction, Bureau of Prisons, Bureau Chief – Prisons (38-04-01) for population increases. It is the intent  
10 that the appropriation be used to provide funding to any institution within the Bureau of Prisons that  
11 experiences an increase in its incarcerated population throughout the fiscal year. Upon the approval of  
12 the Budget Director and Controller General, said funds may be transferred to the appropriate institutions.

13 Section 180. Section 1 of this Act makes an appropriation to the Department of Correction,  
14 Prisons, Bureau Chief (38-04-01), Contractual Services. Of this amount \$20.0 shall be used for the  
15 purpose of collecting DNA samples. This provides funding for the implementation of House Bill 4 of the  
16 141<sup>st</sup> General Assembly.

17 Section 181. Section 1 of this Act provides an appropriation for Personnel Costs to the  
18 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
19 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
20 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is  
21 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

22 Section 182. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
23 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a  
24 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
25 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
26 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of  
27 Correction by June 1 of each year, which will include but not be limited to the mission of the

1 organization, the statement of the problem, a synopsis of the program, the number of participants,  
2 statistics relating to recidivism rates of those participating in the program and an annual budget of the  
3 organization.

4 Section 183. (a) Section 1 of this Act makes an appropriation of \$3,909.4 to the Department of  
5 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol  
6 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -  
7 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,  
8 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
9 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse  
10 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
11 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
12 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
13 Commissioner of Correction or his designee.

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

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

22 Section 184. Section 1 of this Act provides an appropriation to Community Corrections,  
23 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget  
24 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,  
25 II and III) and the average personnel complement for each level. These reports are due on December 31  
26 and June 30.

1           Section 185. (a) The Department of Correction shall have the authority, upon the concurrence  
2 and approval of the Budget Director and Controller General, to establish up to 6.0 ASF FTEs. The  
3 positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion  
4 of projects requested by the Delaware Department of Transportation. Upon approval, 2.0 ASF FTEs shall  
5 be assigned to the Department of Correction Prisons, Webb Correction Facility (38-04-02), 2.0 ASF FTEs  
6 in Department of Correction, Community Corrections, Plummer Work Release Center (38-06-06) and 2.0  
7 ASF FTEs in Department of Correction, Community Corrections, Central Violation of Probation Center  
8 (38-06-10). The source of funding shall be the Department of Transportation, Maintenance and  
9 Operations, Maintenance Districts (55-04-70). Adjustments to Appropriated Special Fund spending  
10 authority for this program can be made upon the concurrence and approval of the Budget Director and the  
11 Controller General.

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

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

19           Section 186. The Department of Correction, Administration, Office of the Commissioner (38-01-  
20 01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget  
21 Director and Controller General. The report shall include the number of overtime hours worked and the  
22 amount of overtime salary expended by each agency within the Department, and shall include a  
23 breakdown of the reason for overtime.

24           Section 187. Prison education services shall be provided by utilizing existing teachers that are in  
25 the Department of Correction as well as authorized teaching positions in the Department of Education.  
26 The management of all educational positions shall be provided by the Department of Education.  
27 Department of Correction teachers shall have the opportunity each year to notify both agencies of their

1 intent to transfer to the Department of Education. Such notification shall be made by April 15 of each  
2 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
3 shall be permanent.

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

9 Section 188. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
10 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
11 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
12 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
13 percent during night time and weekend hours.

14 Section 189. The Merit Rules notwithstanding, Department of Correction employees designated  
15 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless  
16 of their classification.

17 Section 190. For Fiscal Year 2004, the Videophone System Specialist in the Office of the Public  
18 Defender (15-02-01) shall work with the Department of Correction under the direction of the Deputy  
19 Principal Assistant to the Bureau Chief of Prisons to study the feasibility of implementing a distance  
20 learning program for persons supervised in Level V facilities. If feasible, a pilot program shall be  
21 designed for implementation in Fiscal Year 2005. Funds of up to \$30.0 may be used for program  
22 research, operating expenses and supplies.

# 1      **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2            Section 191. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to  
3 spend up to \$4,107.6 in Appropriated Special Funds. Within this amount, the division is authorized to  
4 undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These  
5 expenditures should be in accordance with the Capital Development Plan for the division, submitted as an  
6 attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from  
7 the listed projects must be approved by the Budget Director and the Controller General.

8            Section 192. The Department of Natural Resources and Environmental Control will provide the  
9 Joint Finance Committee with information on the actual cost of all Title V program activities, including  
10 permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the  
11 Joint Finance Committee by January 31 and July 31, respectively.

12           Section 193. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed  
13 Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-  
14 monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and  
15 the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the  
16 Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland  
17 Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

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

21           Section 194. Section 1 of this Act appropriates \$836.9 in General Funds and any revenues  
22 collected in Appropriated Special Funds for a dog control contract in the Department of Natural  
23 Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). The recipient of this  
24 contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code.  
25 The contract will require that at a minimum there will be 6 dog control officers in New Castle County, 3  
26 in Kent County and 3 in Sussex County during Fiscal Year 2004.

1           Section 195. 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 196. Section 1 of this Act makes an appropriation to the Department of Natural  
5 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
6 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of  
7 office space, storage facility, and garage for the Mosquito Control Section.

8           Section 197. 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 Section (40-  
10 09-02). One position is an Environmental Engineer II/IV assigned to the Delaware City Petro Chemical  
11 Complex. The second position is an Environmental Engineer II/IV assigned to Claymont/Edgemoor  
12 Industrial Complex. The incumbents shall each submit an annual report to the Joint Finance Committee  
13 on February 1 of each year, which summarizes the complaints and activities of the previous calendar year.  
14 These positions will respond to and provide follow-up on complaints from the community on the air  
15 quality throughout New Castle County.

16           Section 198. Section 1 of this Act appropriates funding for an Environmental Engineer assigned  
17 to the Claymont/Edgemoor Industrial Complex and to be located at the Robinson House in Claymont.  
18 The Department of State, Division of Historical and Cultural Affairs will, in consultation with the  
19 Department of Natural Resources and Environmental Control, develop a plan for the renovation of office  
20 space within the Robinson House. The Department is also authorized to expend monies from the Penalty  
21 Fund to pay for the renovation, subject to approval by the Budget Director and the Controller General.

22           Section 199. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

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



1 resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat  
2 enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by  
3 past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

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

8 Section 200. Section 1 of this Act appropriates \$4,016.7 to the Department of Natural Resources,  
9 Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to  
10 fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services  
11 and contractual services at the Bellevue State Park system.

12 Section 201. The budget complement of the Department of Natural Resources and  
13 Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 FTEs Analytic  
14 Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes vacant, it  
15 shall be converted to ASF. The remaining position shall not be converted.

16 Section 202. Section 1 of the Act appropriates \$3,004.3 to the Department of Natural Resources  
17 and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01).  
18 Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

19 Section 203. Section 1 of this Act appropriates \$495.3 to the Department of Natural Resources  
20 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that  
21 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0  
22 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

23 Section 204. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and  
24 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and  
25 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,  
26 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based  
27 Pay Plan report provided to the Controller General's Office on June 8, 1998.

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

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

12 Section 205. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District  
13 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field  
14 staff personnel for the preparation of nutrient management plans.

15 Section 206. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
16 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
17 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
18 abandoned underground storage tank (UST) systems. These USTs shall include those where the  
19 responsible parties have shown to the satisfaction of the Department of Natural Resources and  
20 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and  
21 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery  
22 of the funds expended under the HSCA fund.

23 Section 207. Section 1 of this Act makes an appropriation to the Department of Natural  
24 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
25 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the  
26 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
27 Funding is to be used to provide training for state and local water and wastewater operators.

1           Section 208. Fish and Wildlife is authorized to expend funds carried forward from the sale of  
2 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries  
3 programs and marine enforcement.

4           Section 209. It is intent of the General Assembly that the Department of Natural Resources and  
5 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
6 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers  
7 after such citations have been entered in the courts.

8           Section 210. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
9 which shall be exempt from the Merit System, to the Department of Natural Resources and  
10 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and  
11 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.  
12 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after  
13 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal  
14 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to  
15 the investigation of the incident; and the indirect costs related to all of the above.

16           Section 211. Section 1 of this Act makes an appropriation for contractual services to Department  
17 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-  
18 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

19           Section 212. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the  
20 Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife  
21 Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol  
22 the inland bays.

# SAFETY AND HOMELAND SECURITY

Section 213. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 20 additional patrol officers in Sussex County.

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

Section 214. 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 215. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Budget Director and the Controller General.

Section 216. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit positions accordingly.

Section 217. 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

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

5 Section 218. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I  
6 FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and  
7 Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and  
8 Troop 6.

# TRANSPORTATION

Section 219. The department shall provide a quarterly report of potential liabilities and expenditures from the Environmental Contingency account to the Office of Controller General and the Budget Office.

Section 220. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

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

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

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

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

- 1) Sussex County Council, on behalf of the eligible transportation providers, shall submit annual operating budget requests to the Delaware Transit Corporation by September 1 of each year; and
- 2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the eligible transportation providers for transportation services commencing the ensuing July 1. Said contracts shall be subject to an annual appropriation for such purpose.

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

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

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

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

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

16 Section 221. Section 1 of this Act appropriates \$515.8 TFO to Finance (55-01-02) for  
17 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware  
18 River and Bay.

19 Section 222. Section 1 of this Act makes an appropriation of \$830.3 TFO to Planning (55-03-01)  
20 for Operations/Capital.

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

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

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

6 Section 223. The Department of Technology and Information shall bill the Department of  
 7 Transportation, Office of Information Technology (55-02-03) on an actual usage basis.

8 Section 224. Section 1 of this Act provides an appropriation to Maintenance and Operations (55-  
 9 04-00). Of this appropriation, \$2,460.0 TFO shall be used to implement the National Pollutant Discharge  
 10 Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget  
 11 Director and the Controller General on the status of the implementation of NPDES and provide associated  
 12 cost projections for the remainder of the fiscal year.

13 Section 225. Section 1 of this Act makes an appropriation in the amount of \$49,764.7 TFO to  
 14 Maintenance and Operations, Maintenance Districts (55-04-70) and \$14,802.6 TFO to Maintenance and  
 15 Operations, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is  
 16 authorized at \$2,115.0 TFO.

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

Line Item	Toll Operations		Maintenance	Total All
	I-95	SR-1		
Personnel Costs	2,749.5	2,933.3	5,683.0	11,365.8
Travel	26.0	0.0	0.0	26.0
Contractual/Supplies	7,737.6	821.1	1,855.6	10,414.3
Energy	114.8	329.4	279.8	724.0
Capital Outlay	91.0	0.0	66.0	157.0
TOTALS	10,718.9	4,083.8	7,884.4	22,687.1
FTEs	67.0	72.0	140.0	279.0

18 Section 226. Section 1 of this Act provides an appropriation to Maintenance Districts (55-04-70)  
 19 for Contractual/Supplies. Of this appropriation, \$29.5 shall be allocated to the Woodland Ferry.



1           Section 227. Section 1 of this Act makes various appropriations from the Transportation Trust  
2 Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules  
3 notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the  
4 Department of Transportation's ("Department") efforts to develop and implement two pilot programs to  
5 provide employee incentives designed to acknowledge outstanding performance and to achieve a net  
6 reduction in costs to the department.

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

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

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

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

1           Section 228. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
2 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
3 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
4 from enforcing traffic laws including speed enforcement at the E-ZPass toll booths.

5           Section 229. Section 1 of this Act makes an appropriation to Maintenance and Operations,  
6 Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called  
7 Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
8 Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the  
9 end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to  
10 current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
11 divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to  
12 municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
13 department and the municipality to keep transit routes open during snow and storm emergencies. The  
14 transfer of funds from this account shall not require the approval of the Budget Director or the Controller  
15 General. The department must provide quarterly reports each fiscal year.

16           Section 230. In addition to the positions authorized in Section 1 of this Act for the Department of  
17 Transportation, Technology and Support Services, Office of Information Technology (55-02-03),  
18 additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of  
19 information technology support. As remaining positions for the purpose of information technology  
20 support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation  
21 Authority may be reallocated to continue the centralization of the information technology function within  
22 Technology and Support Services, Office of Information Technology (55-02-03). The Budget Director  
23 and Controller General may authorize this reallocation accordingly.

24           Section 231. During the fiscal year, the Department of Transportation shall be prohibited from  
25 changing its departmental policy regarding access pipe installation on private homeowner entrances.  
26 Specifically, the department shall not charge said homeowners for the labor costs associated with the  
27 installation of the access pipe.

1           Section 232. Notwithstanding any other provisions of the Delaware Code, the Department of  
2 Transportation, Division of Motor Vehicles (55-11-00) shall have the authority to charge state agencies  
3 for state identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be  
4 determined by the Division of Motor Vehicles and will be deposited into a holding account coded as  
5 special fund revenue and shall not be subject to General Fund deposit or Transportation Trust fund  
6 deposit at any time.

7           Section 233. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
8 Division of Motor Vehicle, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection  
9 equipment.

10          Section 234. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
11 in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
12 2003. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

13          Section 235. Amend 17 Del. C. § 521a(3) by striking the word “county” and inserting in lieu  
14 thereof “maintenance district”. Further amend 17 Del. C. § 521a(3) by striking the word “exceeds” and  
15 inserting in lieu thereof “is equal to or greater than”.

16          Section 236. Amend 2 Del. C. § 1325 by adding “, workers’ compensation” after the words  
17 “medical insurance” in the last two sentences of this section.

18          Section 237. Section 1 of this Act transfers the Division of Motor Vehicles to the Department of  
19 Transportation (55-11-00) from the Department of Public Safety (45-07-00). Upon this transfer there  
20 shall be a transition team consisting of representation from the State Budget Office, Office of the  
21 Controller General, and Department of Transportation to review and resolve issues related to the transfer.  
22 These issues should include but not be limited to; existing technology support currently provided by the  
23 Department of Technology and Information, existing accounting and personnel systems and policies in  
24 use within the Division of Motor Vehicles, Motor Fuel Tax operations, and facility management and  
25 minor capital improvement’s currently provided by the Department of Administrative Services. Upon  
26 resolution of these issues the team will report its findings and recommendations, to include fiscal impact

1 and position transfers to the Co-Chairs of the Joint Finance Committee for approval and final  
2 implementation no later than December 31, 2003.

3 Section 238. Section 1 of this Act transfers the Division of Motor Vehicles to the Department of  
4 Transportation (55-11-00) from the Department of Public Safety (45-07-00). The Department is directed  
5 to submit any proposed reorganization or change in operations that affect delivery of services within the  
6 Division of Motor Vehicles to the Co-chairs of the Joint Finance Committee for approval before  
7 implementation.

8 Section 239. Section 1 of this Act provides an appropriation of \$3,300.0 TFO to the Department  
9 of Transportation, Toll Administration (55-04-90) for E-Z Pass Operating Costs as a result of the  
10 dissolution of Delaware's participation in the Multi-State E-Z Pass Consortium. It is Delaware's intent to  
11 continue to provide E-Z Pass operations within the State. As a result of this change in operations, all  
12 previously issued E-Z Pass transponders will need to be replaced. Section 1 of this Act also provides a  
13 one-time appropriation of \$3,200.0 TFO to replace all existing E-Z Pass transponders. Effective July 1,  
14 2003 the Department shall provide existing customers with replacement transponders. Effective October  
15 1, 2003 the Department may charge new customers the full cost of the transponders.

# LABOR

1  
2       Section 240. (a) Section 1 of this Act provides an appropriation of \$235.2 to Employment and  
3 Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth  
4 Employment Program to operate a program commencing July 1, 2003. The budget will take into  
5 consideration the funds required to commence the program at the end of Fiscal Year 2004, on or about  
6 June 15, 2004. This sum is to be allocated in the following manner:

7	New Castle County (outside the City of Wilmington)	\$ 70.4
8	City of Wilmington	70.8
9	Kent County	47.0
10	Sussex County	<u>47.0</u>
11	TOTAL	\$235.2

12       (b) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0  
13 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment,  
14 supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated  
15 shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and  
16 equipment shall be reverted to the Department of Labor.

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

21       Section 241. Section 1 of this Act provides an appropriation of \$355.0 in Contractual Services to  
22 Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit  
23 professional apprenticeship and training program for young Delawareans ages 18-30. The training and  
24 apprenticeships shall include leadership skills, team building, problem solving and community issues.

# AGRICULTURE

1  
2       Section 242. Section 1 of this Act appropriates 1.0 ASF FTE to the Agricultural Lands  
3 Preservation Foundation (65-01-13). This position shall be contingent upon the appropriation of  
4 sufficient operating funds for the Agricultural Lands Preservation Foundation as contained in the Fiscal  
5 Year 2004 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003  
6 Capital Improvement Act.

7       Section 243. Beginning Fiscal Year 2004, the Delaware Department of Agriculture is hereby  
8 authorized to develop and implement a state crop insurance program, not to exceed a funding level of  
9 \$600.0, to provide assistance to farmers in purchasing federal crop insurance coverage. The state crop  
10 insurance program is intended to encourage farmers to enroll in federal crop insurance programs and  
11 provide limited financial assistance to farmers in purchasing coverage. This program shall provide cost  
12 share assistance at a rate not to exceed 20 percent of farmer paid premium with a maximum subsidy of  
13 \$2.00 per acre. To ensure accessibility of funds for all eligible applicants, the department will include  
14 guidelines to prorate available resources accordingly if applications exceed funding. The Department of  
15 Agriculture shall provide the Controller General and the Budget Director with a report by April 1, 2004  
16 detailing the commitments and expenditure of said funds. It is the expectation that when a significant  
17 number of agricultural landowners participate in crop insurance the necessity of this program will be re-  
18 evaluated.

# ELECTIONS

1  
2        Section 244. 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 245. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board,  
15 referenda and bond issue elections to the Department of Elections, should this law be funded by the  
16 General Assembly.

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

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

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

9           Section 248. Any state agency, office or department is prohibited from publishing or funding the  
10 publication of voter guides.

11           Section 249. Notwithstanding any other provisions of the Delaware Code or this Act to the  
12 contrary, the Commissioner of Elections is authorized to use prior year funds and residual Contractual  
13 Services funding originally appropriated for voting machine warranties for voting machine maintenance  
14 and lithium battery replacement upon expiration of voting machine warranties.



# FIRE PREVENTION

1  
2       Section 250. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire  
3 Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to  
4 be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the  
5 purpose of operating a Statewide Fire Safety Education Program.

6       Section 251. 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.

9       Section 252. Section 1 of this Act makes an appropriation to the Office of the State Fire Marshal  
10 (75-01-01). Of the total appropriation, \$39.3 is intended to fund 1.0 FTE, a Fire Protection Specialist for  
11 Sussex County, and includes one-time appropriations of \$25.0 for a vehicle and \$10.7 for equipment to  
12 support the position.

# NATIONAL GUARD

1

2

Section 253. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-

3

01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses

4

of the Lora Little School building that are not directly attributable to occupancy by the Delaware National

5

Guard.

6

Section 254. Section 1 of this Act provides an appropriation to the Delaware National Guard (76-

7

01-01) for educational assistance. The National Guard shall not be required to pay fees.

# HIGHER EDUCATION

Section 255. 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 256. (a) Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

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

Agricultural Programs:

Agricultural Experimental Station	\$ 589.5
Agricultural Cooperative Extension	870.9
Agricultural Research and Education Center	426.3
Poultry Disease Research	554.8
Crop Extension	280.9
Agricultural Environmental Quality	185.1

1	Soil Testing and Pesticide Program	264.3
2	Diagnostic Poultry Program	<u>141.8</u>
3	Total	\$3,313.6
4		
5	<u>Other Programs:</u>	
6	Sea Grant	\$ 506.6
7	Urban Agent Program	122.8
8	Public Service and Applied Research Projects	410.2
9	Minority Recruitment	265.5
10	Local Government Research and Assistance	217.1
11	Graduate Education (Southern Delaware)	33.8
12	Library Automation	52.0
13	MALS/BALS - Southern Delaware	64.1
14	Nurse Practitioner	244.8
15	Science, Engineering and Technology Service Program	142.9
16	Molecular Biology/Biotechnology Program	455.0
17	Math/Science Education for DE Teachers	570.5
18	Advanced Materials	133.1
19	Center for Community Development and Family Policy	238.7
20	Training and Research (Educational Management)	107.9
21	Computer Aided Math Instruction	80.0
22	Advanced Electronics and Materials Initiative	591.9
23	Field Hockey Coach	33.0
24	Delaware Center for Teacher Education	320.7
25	Research on School Finance Issues	82.5
26	Delaware Education Research and Development Center	216.2
27	Delaware Research Scholars Program	150.0

1	Milford Professional Development School	108.0
2	Information Technology Partnership	2,321.0
3	ITV Technician	55.1
4	Core Content Teacher Education	289.4
5	Biotechnology	275.9
6	Computer Aided Instruction, Arts & Science	100.0
7	Clinical Instruction in Teacher Education	217.2
8	Early Childhood Education	103.8
9	Civics Education for Teachers	100.0
10	Biotechnology Institute	186.2
11	Software License Support	125.0
12	Assistant Women's Coaches	41.8
13	Study Abroad for Delaware Residents	<u>50.0</u>
14	Total	\$9,012.7

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

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

25 Section 257. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
26 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
27 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents

1 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
2 Extension Program.

3 Section 258. Section 1 of this Act provides an appropriation to the University of Delaware for the  
4 Milford Professional Development School. The University and the Milford School District shall submit  
5 to the Controller General and the Budget Director, by March 1, 2004, a joint report detailing the  
6 implementation status of this program as it relates to the appropriation herein.

7 Section 259. Section 1 of this Act makes an appropriation to Delaware State University,  
8 Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
9 high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
10 sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
11 \$100.0 shall be for scholarships for female athletes.

12 Section 260. For the fiscal year covered by this Act, in order to continue the assessment of  
13 procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
14 as a result of processing accounting transaction data into two independent accounting systems, the Budget  
15 Director has authorized Delaware State University to:

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

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

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

25 This authorization does not provide for any change to the processing of encumbrances and vendor  
26 payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not

1 relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
2 and payment activity.

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

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

12 Section 261. Section 1 of this Act provides an appropriation to Delaware Technical and  
13 Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel  
14 Program - Academic. This appropriation is to assist in the provision of the Delaware  
15 Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions  
16 under a contract initiated by Delaware Technical and Community College. Under this contract, the  
17 University of Delaware will teach students at Delaware Technical and Community College's facilities.  
18 Future budget requests will be made jointly by Delaware Technical and Community College and the  
19 University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of  
20 tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant  
21 service and after the institutions have reached an agreement for tuition sharing. Representatives from  
22 both institutions will meet at least once each semester to review program operations.

23 Section 262. Section 1 of this Act contains an appropriation of \$237.4 for the Delaware Institute  
24 of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
25 relating to the DIVME Program, these funds shall be used to provide tuition support for up to two  
26 Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine, up to

- 1 five Delaware residents accepted to a veterinary medicine program at the University of Georgia, and up to
- 2 six Delaware residents accepted to a veterinary medicine program at Oklahoma State University.



# EDUCATION

1  
2       Section 263. The provisions of this Act and the Delaware Code notwithstanding, the Department  
3 of Education, Budget Office and Controller General’s Office are authorized to simplify the complexity of  
4 state share accounting by consolidating school district appropriations in the Delaware Financial  
5 Management System. Such consolidation may include state funding appropriated and allocated to school  
6 districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading Cadre, Teacher to  
7 Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations  
8 authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and  
9 provision of expenditure stipulated in 14 Del. C. and in this Act.

10       Section 264. For this fiscal year, employees who have been issued a temporary certificate for a  
11 third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary reduction.  
12 Employees currently on a temporary certificate as a result of being assigned to an area outside the area of  
13 certification shall not receive a ten percent salary reduction.

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

20       Section 265. Amend 14 Del. C. § 1305(q) by replacing the number “2004” as it appears therein  
21 and substituting in lieu thereof the number “2005”.

22       Section 266. Amend 14 Del. C. §1305(q) by adding the following at the end of the existing  
23 paragraph:

24       "Furthermore, any employee entitled to rightward movement on the salary scale on the basis of  
25 in-service or undergraduate credits approved prior to the beginning of Fiscal Year 2005 shall continue to

1 be entitled to such movement in the event of any future application for placement submitted after the  
2 beginning of Fiscal Year 2005."

3 Section 267. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to  
4 the State Board of Education and State Board for Vocational Education and Department of Education (95-  
5 01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts  
6 outside of the State accounting system and the Fund shall be interest bearing.

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

10 Section 268. Amend 14 Del. C. §1305 (h) by deleting the number "2004" as it appears therein  
11 and substituting in lieu thereof the number "2005".

12 Section 269. Amend 14 Del. C. §1318A (b) (10) by deleting the number "2003" as it appears  
13 therein and substituting in lieu thereof the number "2004".

14 Section 270. Amend 14 Del. C. §1318 (g) by deleting the number "2003" as it appears therein  
15 and substituting in lieu thereof the number "2004", and by deleting the date "June 1" as it appears in the  
16 next to last sentence and substituting in lieu thereof the date "July 1".

17 Section 271. Amend 14 Del. C. §1320 by deleting the number "2003" as it appears therein and  
18 substituting in lieu thereof the number "2004".

19 Section 272. Amend 14 Del. C. §1703 (j) by deleting the number "2004" as it appears therein  
20 and substituting in lieu thereof the number "2005".

21 Section 273. (a) The positions included in Section 1 of this Act that are authorized to the  
22 Department of Education shall be assigned in the manner shown on the Organization Chart submitted  
23 with the Annual Appropriation Act.

24 (b) The Secretary of Education is authorized to undertake a review of the organization of the  
25 Department of Education pursuant to the provisions of 14 Del. C. §103(a) (4). Upon completion of the  
26 review, the Secretary may present a reorganization plan to the co-chairs of the Joint Finance  
27 Committee (JFC) and obtain written approval of the co-chairs. Upon approval of the co-chairs, the

1 Secretary shall obtain the written approval of the Governor, as required under 14 Del. C. §103(a) (4).

2 Pursuant to the provisions of 14 Del. C. §103(a) (2), this written approval shall constitute approval for  
3 the Secretary to fix the salaries of certain officers within the Department, provided, however, that the  
4 level of salary shall be clearly delineated in any reorganization plan presented to the JFC co-chairs and  
5 the Governor.

6 Section 274. For this fiscal year, the inflation factor for the local per pupil payments required  
7 under the state's Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per  
8 pupil payments required under the state's Charter School Program, as specified in 14 Del. C. §509(d),  
9 shall be equal to the general salary increase enumerated in Section 8 of this Act.

10 Section 275. Any course offered at a vocational technical high school may be offered in the  
11 comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
12 Secretary of Education.

13 Section 276. Section 1 of this Act makes an appropriation to Public Education, State Board of  
14 Education and State Board for Vocational Education and Department of Education, State Board of  
15 Education and Department of Education (95-01-01) for Educator Certification and Development  
16 activities. This appropriation to the Department of Education is intended to offset expenditures in the  
17 following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;  
18 revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;  
19 professional recertification and expanding the Alternative Routes to Teacher Certification program.

20 Section 277. Section 1 of this Act provides an appropriation of \$329.5 to Public Education, State  
21 Board of Education and State Board for Vocational Education and Department of Education, State Board  
22 of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the  
23 Standards and Assessment program agenda is to support the development and completion of performance  
24 indicators.

25 Section 278. Section 1 of this Act makes an appropriation of \$42.0 to Public Education, State  
26 Board of Education and State Board for Vocational Education and Department of Education, State Board  
27 of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall

1 be made available to school students to assist in defraying out-of-state travel expenses associated with this  
2 program.

3 Section 279. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State  
4 Board of Education and State Board for Vocational Education and Department of Education, State Board  
5 of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0  
6 shall be used by the Department of Education to review and award grants competitively to schools with  
7 grades kindergarten through eighth. Programs selected shall provide at-risk children with academic  
8 tutoring and instruction, with the involvement of parents and volunteer mentors. School districts shall  
9 make direct application to the Department on behalf of individual school buildings, addressing in their  
10 proposal the following: (a) one-on-one tutoring for academically at-risk students; (b) early childhood  
11 preventive intervention strategies; (c) adherence to academic standards as adopted by the State Board of  
12 Education; (d) parental involvement; and (e) provision of program evaluation and performance  
13 evaluation. Local schools are encouraged to utilize such programs for students during non-core academic  
14 class time. Grant awards for individual schools, of no more than \$30,000 each, shall be determined by the  
15 Department no later than November 30 of each year and funds shall be allocated by December 31 of each  
16 year. The remaining \$150.0 may go to the University of Delaware for the Delaware Mentoring Council  
17 to provide technical assistance and professional development for mentors and other activities.

18 Section 280. Section 1 of this Act appropriates \$600.0 to Public Education, State Board of  
19 Education and State Board for Vocational Education and Department of Education, State Board of  
20 Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be  
21 used to support the development and implementation of automated systems to manage such activities as  
22 the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills  
23 and knowledge supplements; development of on-line standards-based units of instruction; and the  
24 accountability reporting system.

25 Section 281. Section 1 of this Act appropriates \$2,120.0 to Public Education, State Board of  
26 Education and State Board for Vocational Education and Department of Education, State Board of  
27 Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be

1 used to support the implementation of educator accountability initiatives such as skills and knowledge  
2 supplements; design and implementation of DPAS II; teacher recruitment and retention programs; and  
3 modification of the licensure and certification system. Prior to expending any of these funds, an approved  
4 budget must be submitted by the Secretary of Education, after consultation with the Professional  
5 Standards Board, and approved by the Budget Director and Controller General.

6 Section 282. Amend Section 1206 (h), Title 14 of the Delaware Code by inserting the words  
7 “who are employed by a public school district” between the word “Board” and the “.” in the first sentence  
8 in the last paragraph thereof.

9 Section 283. The Department of Education shall transfer \$100.0 to the Department of Safety and  
10 Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background  
11 checks for all school district employees on a first come, first served basis. State Police shall send  
12 quarterly reports to the Department of Education regarding expenditures of said funds.

13 Section 284. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
14 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
15 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership  
16 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
17 challenging content and performance standards, have aligned assessments to those standards, have  
18 established a system of school and district accountability, and allow waiver of State statutory and  
19 regulatory requirements relating to education.

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

1           Section 285. During this fiscal year, the Department of Education is authorized to develop an  
2 improved funding structure to provide resources to students with disabilities in the most flexible and  
3 equitable manner possible. This proposed structure shall be subject to the approval of the Budget  
4 Director and the Controller General. Upon receiving such approval, the Department will be authorized to  
5 implement this new structure on a pilot basis in two school districts in Fiscal Year 2004 with the intention  
6 to implement statewide in Fiscal Year 2005.

7           Section 286. The Delaware Code notwithstanding, during this fiscal year, the Budget Director is  
8 authorized to continue funding for issues such as, but not limited to, the number of administrative  
9 positions and activity busing for which the State was required to provide funding as a result of a 1978  
10 federal court order. This authorization, as it relates to administrative positions, shall apply only to  
11 positions filled for employment, and shall not be considered as authorization to fund any cash options  
12 pursuant to 14 Del. C. § 13.

13           Section 287. Line item funds appropriated in Section 1 of this Act to Public Education, School  
14 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the  
15 State Board of Education and State Board for Vocational Education and Department of Education (95-01-  
16 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local  
17 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state  
18 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the  
19 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil  
20 transportation costs.

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

1 adjustments will be accomplished through the transfer process and therefore approved by the Budget  
2 Director and the Controller General.

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

7 Section 288. Section 1 of this Act makes an appropriation to Public Education, School District  
8 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20  
9 guaranteed units. In the event that more units are required districts shall receive partial unit funding in  
10 proportion to the units available.

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

13 Section 289. Notwithstanding the provisions of 14 Del. C. §1703, the First State School Program  
14 shall be guaranteed state funding based upon a minimum of two Division I units. In addition, Section 1 of  
15 this Act appropriates \$220.0 to Public Education, Block Grants and Pass Through Programs, Special  
16 Needs Programs for the First State School.

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

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

1           Section 290. Section 1 of this Act provides certain appropriations to Public Education, School  
2 District Operations, Other Items and Debt Service. These amounts are not based on the unit system.  
3 Allocation of these funds shall conform to the following:

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

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

8	1. Caesar Rodney - Americanization	\$ 14.1
9	2. Red Clay - Americanization	113.6
10	3. Margaret S. Sterck -	
11	Residence - Other Costs	85.4
12	Consultant Services	11.0
13	Preschool Summer Program	6.9
14	4. Christina Autistic -	
15	Residence - Other Costs	206.5
16	Contractual Services	11.4
17	5. John G. Leach	50.0
18	6. Sussex Orthopedic School	<u>12.9</u>
19	Total	\$511.8

20           Section 291. (a) Section 1 of this Act makes an appropriation to Public Education, School  
21 District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,  
22 \$1,500.0 shall be used to provide technical assistance and support to schools rated as school improvement  
23 and unsatisfactory performance. The remaining \$100.0 shall be allocated for recognition of schools  
24 whose student bodies demonstrate superior absolute performance, superior improvement performance and  
25 superior distributional performance. Such recognition shall include special ceremonies and/or the award  
26 of plaques or flags.



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

Section 292. Section 1 of this Act makes appropriations to Public Education, School District  
 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II -  
 Energy Unit shall be valued at \$1,682.00 A Division II - All Other Costs Unit shall be valued at  
 \$3,247.00

Section 293. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
 Fiscal Year 2004, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
 allocated as follows:

District Allocation	Increase Support for Education	Offset Local Current Expense Taxes	Total
Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
Appoquinimink ILC	18,468	0	18,468
Brandywine	0	2,158,200	2,158,200
Bush	16,350	0	16,350
AI Institute	6,298	0	6,298
Brandywine ILC	75,210	0	75,210
Christina	0	3,691,830	3,691,830
Autistic Program	135,407	0	135,407
REACH	53,533	0	53,533
Sterck	85,023	0	85,023
Christina ILC	170,040	0	170,040
Colonial	0	2,001,240	2,001,240
Leach	75,576	0	75,576
Colonial ILC	42,510	0	42,510
Red Clay	0	2,897,220	2,897,220
Meadowood	75,576	0	75,576
Red Clay ILC	122,811	0	122,811
Caesar Rodney	0	567,840	567,840
Caesar Rodney ILC	9,204	0	9,204
Charlton	47,554	0	47,554
Capital	0	728,495	728,495
Capital ILC	4,820	0	4,820
Kent Orthopedic	16,874	0	16,874
Lake Forest	0	412,230	412,230
Milford	0	584,661	584,661
Milford ILC	5,062	0	5,062
Smyrna	0	520,000	520,000
Smyrna ILC	5,000	0	5,000
Cape Henlopen	0	24,174	24,174
Delmar	0	125,000	125,000
Delmar ILC	1,303	0	1,303
Indian River	0	592,680	592,680

1	Laurel	46,755	311,559	358,314
2	Laurel ILC	5,874	0	5,874
3	Seaford	0	263,895	263,895
4	Seaford ILC	6,025	0	6,025
5	Woodbridge	19,003	105,997	125,000
6	New Castle Vo-Tech	0	834,485	834,485
7	New Castle Vo-Tech ILC	25,192	0	25,192
8	Polytech	0	125,000	125,000
9	Polytech ILC	12,272	0	12,272
10	Sussex Technical	0	0	0
11	Total	\$1,081,740	\$16,467,766	\$17,549,506

12           Section 294. Section 1 of this Act provides an appropriation to School District Operations,  
13 Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit  
14 of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from  
15 the district’s entitlement in Fiscal Years 2004 and 2005.

16           Section 295. Section 1 of this Act contains appropriations to the Department of Education,  
17 School District Operations of \$620,821.4. These appropriations include a reduction of \$7,000.0 in state  
18 operating funds. This reduction will be allocated among school districts and charter schools based on the  
19 September 30, 2003 student enrollment, as certified by the Department of Education. Preliminary  
20 reduction plans were to be submitted to the Department of Education, Budget Office and Controller  
21 General’s Office no later than June 25, 2003. The preliminary amount was based upon the September 30,  
22 2002 student enrollment as certified by the Department of Education. Final reduction plans are to be  
23 submitted to the Department of Education, Budget Office and Controller General’s Office by November  
24 30, 2003.

25           Beginning on July 1, reductions will be applied to Department of Education, School District  
26 Operations, Division II - All Other Costs. Once final reduction plans are received the appropriate  
27 adjustments will be made. Reductions plans should be in accordance with the following:

- 28           (a) Districts may use Division I savings from unfilled units as a reduction, up to a maximum of  
29           25% of their individual reduction amount or one unfilled unit, whichever is greater. The  
30           amount to be utilized as a credit per position will be as follows: Superintendent \$91,151,  
31           Assistant Superintendent \$81,382, Administrative Assistant \$70,158, Director \$72,076,

1 Supervisor \$66,638, Principal \$71,788, Assistant Principal \$64,410, Teacher \$45,793,  
2 Secretary \$34,698, Custodian \$30,042.

3 (b) Funds associated with the cash options authorized in 14 Del. C. § 1321(e)(11) for  
4 administrative positions and 14 Del. C. § 1716(g) for academic excellence units are  
5 acceptable.

6 (c) (1) No program allocation may be reduced by more than 30% with the exception of Division  
7 II - Energy, Division II - All Other Costs, Division III – Equalization, Guaranteed Unit  
8 Count and Tax Relief and Education Expense Fund.

9 (2) Division II - All Other Costs for Vocational Programs is subject to a 25% limitation.

10 Notwithstanding the provisions of 14 Del. C. § 1706, the remaining 75% of Division II -  
11 All Other Costs for Vocational Programs shall be allocated to each school that generates  
12 these funds and expended to support the State-approved occupational-vocational courses  
13 and programs at that school.

14 (3) Reductions may not be made to programs covered in Section 302(a)(10) and Section 325  
15 of this Act.

16 (d) Notwithstanding the provisions of Section 27 (b), funds currently appropriated as 15 month  
17 grants will be extended until June 30, 2004 and may be expended anytime during Fiscal Year  
18 2004.

19 Section 296. Amend 14 Del. C. §1707(b)(3) by deleting said section and substituting in lieu  
20 thereof the following:

21 “Authorized amount” means \$28,175 for fiscal year 2004 and as established in the annual  
22 State Budget Appropriation Act thereafter.”

23 Section 297. Amend 14 Del. C. §1707(b)(10) by deleting “72%” wherever it appears and  
24 substituting in lieu thereof “72.8%”.

25 Section 298. Amend 14 Del. C. §1707(c) and (d) by deleting “.72” wherever it appears and  
26 substituting in lieu thereof “.728”.

1           Section 299. Amend 14 Del. C. §1707(c) and (d) by deleting “10% of the authorized amount”  
2 wherever it appears and substituting in lieu thereof “5% of the authorized amount”.

3           Section 300. Amend 14 Del. C. §1707(c) by adding a new sentence at the end as follows: “In  
4 Fiscal Year 2004, the state share per unit for those districts who are entitled to the formula minimum of  
5 5% of the authorized amount times the effort index shall be 80% of the state share per unit in the  
6 preceding fiscal year.”

7           Section 301. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
8 and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This  
9 appropriation shall be allocated by the Department of Education to the following programs/districts:  
10 Adult Trade Extension (statewide), Apprenticeship Program (statewide), James H. Groves High School  
11 (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School  
12 District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative  
13 Secondary Education Program (statewide), Communities in Schools of Delaware, Marine Mechanics  
14 Apprenticeship Program (Sussex Technical School District) and Interagency Council on Adult Literacy. For  
15 each program continued in Fiscal Year 2004, each program shall receive no less than the same allocation  
16 from this appropriation as its Fiscal Year 2003 allocation.

17           Section 302. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
18 Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

19           (a) The following allocations shall be provided:

20           (1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to  
21 Certification program, to be used to implement this project in this fiscal year. The  
22 remaining \$75.0 may be used for the Summer Institute program.

23           (2) \$2,866.5 shall be allocated by the Department of Education to districts for professional  
24 and curriculum development activities. Districts shall submit applications to the  
25 Department of Education detailing the district’s plan for the utilization of these funds.  
26 The Department of Education shall review and approve plans and allocate an amount not  
27 to exceed \$331.00 per certified employee, based on a district's personnel complement for

1 the 2002-2003 school year. Grants are to be used for developing and implementing  
2 curriculum based on the content standards established by the Curriculum Frameworks  
3 Commission, as approved by the State Board of Education or for other professional  
4 development activities, including, but not limited to: Discipline, Special  
5 Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared  
6 Decision Making, local school board member training, and Educational Technology.  
7 Districts are encouraged to collaborate as a means of maximizing resources as well as  
8 focusing district activities on consistent principles. Grants may be utilized for training,  
9 planning, in-service programs and contractual services. The Department of Education is  
10 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
11 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
12 approval of the district application for funding.

13 In the application, districts shall detail the proposed utilization of funds as well as  
14 the incorporation of the following criteria:

- 15 (a) Integration of the proposal with existing resources and programs such as the  
16 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,  
17 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education  
18 and local funds dedicated to Standards and Assessment.
- 19 (b) Inclusion of local staff in planning of the grant proposal, with representation  
20 from all involved in student learning, including all professional employees by  
21 category. The plan(s) should focus on overall improved student performance,  
22 with a built in level of accountability to determine effectiveness.
- 23 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
24 determine, in coordination with the agency (or agencies) operating this program, the goals  
25 and objectives of this program, including how it will further the objectives of Standards  
26 and Assessment and integrate Shared Decision Making training into the program focus.  
27 The Controller General and the Budget Director shall ensure that the proposed program is

1 cost efficient and meets the objectives outlined in this section before agreeing to transfer  
2 the appropriation from the Department of Education to the operating agency. All  
3 expenditures from this allocation shall serve principals from the State of Delaware only.

4 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
5 teachers to assist new teachers through leadership and guidance, and includes a training  
6 component in order for teachers to become better mentors. This funding level allows for  
7 a statewide program.

8 (5) \$550.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition  
9 reimbursement for summer school courses. This allocation provides, at the discretion of  
10 the Department of Education, for the possible operation of a tuition reimbursement  
11 program for the purpose of reimbursing public school employees and teachers employed  
12 by state agencies for tuition payments for graduate college courses, including Early  
13 Childhood Education courses, or courses in an Education Technology Certificate  
14 Program. Funds may only be used to reimburse certificated non-administrative  
15 employees. No payment shall be made unless the course taken relates to the employee's  
16 job assignment and is taken with the prior approval of the employing district board,  
17 superintendent or state agency. Local school district boards of education are required to  
18 prioritize the allocation of the funds they receive to support the educational advancement  
19 efforts of regular education teachers taking special education and/or mainstreaming  
20 related courses and other educational priorities established by the local boards of  
21 education based on staff development goals or to ameliorate identified deficiencies. This  
22 allocation may be used by local school districts to defray the costs for teachers seeking  
23 application for National Board Certification from the National Board for Professional  
24 Teaching Standards.

25 Reimbursement for tuition may be made for courses taken during summer  
26 school or during the academic year for which a passing grade of B or better is obtained.  
27 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a

1 course with an equal number of credit hours at the University of Delaware. Of the total  
2 allocation made by Department of Education, a minimum of .75 percent shall be  
3 allocated to state agencies and the balance shall be allocated to school districts in  
4 amounts equal to each school district's proportion of Division I units to the total number  
5 of Division I units statewide on September 30, 2003. Any funds not expended by a  
6 school district or a state agency shall be transferred to other districts or agencies. In the  
7 event that any district's allocation is not sufficient to provide total reimbursement to all  
8 eligible employees, the district shall pro-rate the funds so that each eligible employee  
9 receives a share of the total district allocation equal to the individual employee's  
10 reimbursable expenditure divided by the total reimbursable expenditure of all employees  
11 in the district multiplied by the district allocation. Funding for each school district shall  
12 be divided into two equal parts. The first one-half shall be prorated as described above  
13 among eligible employees who complete their courses prior to February 1, 2004. The  
14 second one-half shall be prorated as described above among eligible employees who  
15 complete their courses prior to June 15, 2004. In the event that funds remain in either  
16 half year, the district shall be authorized to reallocate those funds to reimburse eligible  
17 employees in the other portion of the year who did not receive full reimbursement. This  
18 section shall supersede collective bargaining agreements to the contrary.

19 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of  
20 release time of exemplary teachers in the content areas in which the State Board of  
21 Education has adopted content standards, who will provide assistance to districts on a  
22 statewide basis in designing, demonstrating and implementing best teaching practices in  
23 the development of curriculum to meet the established standards. The Department of  
24 Education is authorized to transfer 50 percent of the estimated district grant amount by  
25 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days  
26 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 State Board 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) \$100.0 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



1 objectives of Standards and Assessment. The Department of Education, Controller  
2 General and Budget Director shall ensure that the proposed program is cost efficient and  
3 meets the objectives outlined in this section before agreeing to transfer the appropriation  
4 from the Department of Education to the operating agency.

5 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,  
6 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
7 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the  
8 creation of a Reading to Reading Cadre which will provide assistance to districts in  
9 designing, demonstrating and implementing best practices in reading instruction. Such  
10 position shall be responsible for curriculum alignment and professional development in  
11 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 teachers  
14 seeking national certification from the National Board for Professional Teaching  
15 Standards (NBPTS). Recognizing the effort involved in pursuing such certification as  
16 well as the value it will bring to Delaware teachers and students, a NBPTS certification  
17 obtained under this program by an individual paid under 14 Del. C. §1305, excluding  
18 superintendents, assistant superintendents, directors, and individuals employed in non-  
19 instructional areas detailed in Section 1312(c), and employees at the Department of  
20 Education shall result in a salary supplement as specified in 14 Del. C. §1305 (m). The  
21 salary supplement shall be based upon the 10-month base state salary scale for teachers.  
22 The Department of Education shall report annually to the Budget Director and  
23 Controller General the number of NBPTS certificates obtained under this program. The  
24 NBPTS salary supplement shall be valid for a period not to exceed ten years.

25 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of  
26 Education to design a program for implementation of a career pathway for school  
27 district paraprofessionals at Delaware Technical and Community College.

1 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
2 Department of Education for professional accountability and instructional advancement activities.

3 Section 303. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
4 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
5 \$25,522.2 shall be used to fund units for academic excellence in the school districts in accordance with 14  
6 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
7 of Division I Units each district enrolls on the last school day in September. School districts may use the  
8 funds to: purchase computer hardware, software or services; calculators; library resources; fund  
9 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district  
10 is entitled to less than one nurse per school; provide a student work-study program; provide conflict  
11 resolution training; provide extended day or extended year programs for students performing below the  
12 standard level; and provide stipends for professionals engaged in curriculum or professional development  
13 activities sponsored by a local school district or the Department of Education, outside of the regular  
14 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
15 services. No homebound funds may be spent to provide services to students who have been suspended or  
16 expelled from school, except for special education students. The State Board of Education shall provide  
17 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director  
18 and Controller General no later than December 1 of each year.

19 Section 304. For the fiscal year beginning July 1, 2003, any local school district that has had two  
20 consecutive failed current expense tax referendums during the time period July 1, 2001 to January 1,  
21 2004, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
22 units provided under that program. This provision will apply for Fiscal Year 2004 only. In addition,  
23 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
24 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
25 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

26 Section 305. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block  
27 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It

1 is the intent that this money be used to provide summer programs including an eighth grade program in  
2 environmental heritage.

3 Section 306. Section 1 of this Act provides an appropriation of \$242.2 to Public Education,  
4 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALLOUD  
5 Delaware Program. READ-ALLOUD Delaware is to continue to develop and foster programs for the  
6 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them  
7 for learning. The monies passed through to READ-ALLOUD Delaware shall be used to provide programs  
8 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

9 Section 307. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block  
10 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The  
11 Department of Education shall transfer this appropriation to the University of Delaware to help fund a  
12 summer school program, for college credit, for gifted and talented students.

13 Section 308. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,  
14 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute  
15 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap  
16 program. The Department of Education shall transfer this appropriation to the University of Delaware,  
17 which acts as the fiscal agent for this statewide program.

18 Section 309. Section 1 of this Act provides an appropriation of \$195.2 to Public Education  
19 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for  
20 Economic Education. Of this amount, \$29.1 is appropriated to develop a pilot program to test a  
21 professional development model for systematically training teachers in content and pedagogy and  
22 provide them with ongoing support in the classroom.

23 Section 310. In order that the children for whom the learning disability and socially or  
24 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such  
25 children, the Department of Education shall require strict adherence to approved guidelines before release  
26 of any funds designated for such children. The Department of Education shall particularly ascertain that  
27 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are

1 developed to determine eligibility of socially or emotionally maladjusted children so that this category  
2 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious  
3 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally  
4 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made  
5 at least every three years. The Department of Education will report annually to the Budget Director and  
6 the Controller General on or before April 1 on the actions and results of actions required by this section.

7 Section 311. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
8 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services  
9 Cost Recovery Project (CSCRCP). All local school districts shall fully participate in the implementation  
10 and operation of the project for the fiscal year ending June 30. Local school district participation shall  
11 be on a district-wide basis.

12 The following resources are appropriated to operate the Children's Services Cost Recovery  
13 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
14 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
15 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
16 implementing the Children's Services Cost Recovery Project.

17 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be  
18 located at the Department of Education. The Department of Education is hereby permitted to authorize  
19 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this  
20 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial  
21 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
22 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
23 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
24 § 1309, including the local salary supplement in place at the employing local school district.

25 All revenue generated through the cost recovery project from local school district sources will,  
26 after the deduction of all operational project costs, be divided between the State General Fund and the  
27 local school district's operating funds in a proportion that equals the original sharing of expenses. Any

1 funds returned to a local school district that were generated through recovery on non-transportation  
2 services provided by a tuition-based special school must be made available to the special school for  
3 expenditure at the special school.

4 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future  
5 recoveries on a similar basis as indicated above.

6 Section 312. For the purpose of participating in the Children's Services Cost Recovery Project,  
7 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
8 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §  
9 1092, shall be considered in compliance with qualification standards equivalent to state licensure to  
10 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
11 limited to the delivery of services related to State Board of Education or local school district approved  
12 school programs conducted within the course of the regular school day at a State Board of Education or  
13 local school district approved school site or least restrictive environment location. The provisions of  
14 this section shall in no way be construed as entitling a person not otherwise qualified to do so to  
15 represent himself to the public by any title or description of services incorporating the words  
16 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
17 as may be herein specifically provided.

18 Section 313. The Interagency Resource Management Committee (IRMC) fosters an interagency  
19 approach in coordinating the delivery of early care and education services in Delaware, and the  
20 establishment and operation of the Office of Early Childhood.

21 The IRMC will coordinate the implementation of the recommendations of the October 1999  
22 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
23 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
24 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
25 year. Each report shall include:

- 26 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 27 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

1 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
2 section.

3 The Budget Director and the Controller General are hereby authorized to transfer funds among  
4 the budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the  
5 department, as the case may be, to which the funds were previously allocated. Such transfers shall be  
6 intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early  
7 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant  
8 director and a clerical support position. Funding shall be provided by the Department of Health and  
9 Social Services and the Department of Services for Children, Youth and Their Families no later than July  
10 of each fiscal year to support the operational costs associated with the assistant director and clerical  
11 support positions. Funds allocated in this section are to be used to support the work of the Office and to  
12 continue the interagency evaluation process for Delaware's early childhood programs.

13 Section 314. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
14 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

15 (a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe  
16 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
17 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
18 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
19 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
20 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
21 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
22 opportunities. If funds provided under this section are used for costs associated with teachers and aides,  
23 as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.  
24 Programs receiving funds under this section may utilize no more than \$200.0 in total from Pupil  
25 Transportation (95-04-01) for transportation expenses.

26 (b) A total of \$7,519.3 is authorized for disruptive students at the school and district levels. The  
27 base incentive grants shall be provided to all school districts in the State as follows:

1 Schools grades K-6: \$30.0

2 Schools grades 7-12: \$40.0

3 If funds provided under this section are used for costs associated with teachers and aides, as  
4 provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

5 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to  
6 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and  
7 certification in the district's grant application that the school is in compliance with the provisions of the  
8 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

9 Each school shall receive no less than the amount received in the fiscal year ending June 30. In  
10 order to provide districts with grants in a timely manner, all applications for base grants must be  
11 submitted for review by the Department of Education no later than November 15 of each year.

12 (c) For the purpose of facilitating the continuation of services, districts receiving an allocation  
13 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's  
14 base grant allocation at the outset of each fiscal year. These districts are required to present program  
15 proposals to the Department of Education no later than November 15 each year. Upon Department of  
16 Education approval, adjustments to program allocations will be made.

17 (d) The Department of Education shall determine common data definitions and data collection  
18 methodologies for each program in this section. Districts shall use such definitions and methodologies  
19 and shall provide information as requested by the Department of Education. This information shall  
20 include but not be limited to the following: the number of students served, reasons for service, measures  
21 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
22 programs, and number and types of referrals for additional services. The Department of Education shall  
23 prepare a statewide management report to identify needs for program improvement and best practice.

24 (e) A total of \$3,290.2 is authorized for prevention components administered by the Department  
25 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be  
26 provided as follows:

1 (i) \$3,290.2 to provide early intervention services through the Department of Services for  
2 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
3 intended for grades K-3 and shall address but not be limited to, problems such as Early  
4 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
5 Families may enter into contractual agreements, may employ casual/seasonal personnel, or  
6 may create the necessary positions with the approval of the Delaware State Clearinghouse  
7 Committee and maintain an ASF or NSF account with sufficient spending authority to  
8 operate the program.

9 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
10 of Services for Children, Youth and Their Families shall administer a competitive Request  
11 for Proposal (RFP) process to determine grant awards to local districts. Grant awards shall  
12 be for a period of 12 months. Factors that may be utilized in the evaluation of proposals  
13 can be, but are not limited to, the following: links to Part II discipline funding or other  
14 district resources; the use of collaborative partnerships; the relative need of the local  
15 school district community; and the recognition within a proposal of the need to provide  
16 services to meet the presenting problems of both the child and the family. To the extent  
17 possible, the Department of Services for Children, Youth and Their Families is authorized  
18 to pursue Medicaid cost recovery for eligible services provided to Medicaid eligible  
19 children. Funds resulting from these efforts may be used to expand these services with  
20 prior approval of the Budget Director and the Controller General.

21 (f) Based on the recommendations that resulted from House Joint Resolution 25 of the 139<sup>th</sup>  
22 General Assembly, a total of \$550.0 shall be allocated for the continued operation of the pilot alternative  
23 school program. The program shall be developed utilizing research based best-practice models as  
24 described in "Comprehensive Programs Which Improve Student Discipline, Final Report, April 1999".  
25 The program shall provide year-round services to no more than 100 students. This program shall be  
26 considered a special school for the purposes of charging tuition payments to be made by school districts  
27 of residence under the statutory provisions of 14 Del. C. c. 6, such that the districts shall fund at least 30



1 percent of the total cost of the program. The Department of Education and the New Castle County  
2 Consortium shall oversee administration of the program. Such oversight shall include an annual  
3 evaluation of the program. The New Castle County Consortium may enter into contractual arrangements  
4 to operate the program.

5 Section 315. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
6 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
7 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would  
8 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all  
9 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
10 school districts and other ICT agencies.

11 Section 316. Any placement made pursuant to 14 Del. C. § 3124 in which the individual  
12 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

13 Section 317. In accordance with the Fiscal Year 2003 Unique Alternatives Review report, the  
14 Department of Education and ICT partners shall develop cost allocation agreements for all prospective  
15 Unique Alternative placements by July 31, 2003. If formal agreements can not be made by July 31, a  
16 committee shall be established and develop the cost allocation agreements by August 31, 2003. The  
17 committee shall consist of one representative from each of the following: Office of the Controller  
18 General, Office of the Budget, Departments of Education, Health and Social Services and Services for  
19 Children, Youth and Their Families.

20 Section 318. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
21 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
22 Vocational. This appropriation shall be used to continue the program of vocational education for  
23 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a  
24 maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week  
25 of instruction or major fraction thereof after the first full unit and shall be in addition to the funding  
26 otherwise provided under 14 Del. C. § 1703(d).

1           Section 319. (a) Section 1 of this Act provides an appropriation to Public Education, Block  
2 Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in  
3 Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low  
4 achieving students in order that they may improve their academic performance in the four primary content  
5 areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state  
6 standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's  
7 allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative  
8 Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to  
9 provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services,  
10 up to 50 percent may be used within the normal school day provided the services are in the form of  
11 specialized instruction designed to help LEP students succeed in regular classroom settings. Of the  
12 amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this  
13 section. The Department of Education is authorized to transfer 50 percent of the estimated district grant  
14 amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the  
15 district application for funding.

16           (b) The following criteria shall apply to each of the components of the Extra Time for Students  
17 Program.

18           (1) In order to qualify for an allocation, each district shall submit an application to the  
19 Department of Education as part of the districts' consolidated application. The  
20 application must show evidence of building level staff involvement in the development of  
21 the district proposal.

22           (2) The application provided to the Department of Education shall indicate the student  
23 populations to be served, the type of program(s) proposed, the levels of academic  
24 improvement the additional services are intended to achieve, and the measurement and/or  
25 evaluation process the district will use to determine program effectiveness. Associated  
26 transportation costs shall also be included in the district application.

1 (3) Funding for this component shall only be used for academic instruction or remediation  
2 programs that are offered to a targeted population of low achieving students. Should  
3 funds be used during the regularly scheduled six and one half hour school day, said funds  
4 must be used to hire additional instructional staff to provide additional instruction or  
5 remediation to the targeted population in one of the four core curriculum areas. Prior to  
6 the expenditure of funds during the regular school day, districts must obtain the approval  
7 of the Secretary of Education, Budget Director and Controller General and must certify to  
8 the Secretary of Education, Budget Director and Controller General that sufficient  
9 resources remain to operate the mandated summer school program. The Department of  
10 Education shall promote the use of “Best Practices” in this area through all available  
11 means.

12 (4) Funds appropriated pursuant to this section may not be used for curriculum development  
13 or staff training functions, but may be used for the purchase of supplies and materials  
14 necessary to operate extra time programs. To the extent that these funds are used to pay  
15 salary expenses of district instructional staff, these funds may only be used for costs  
16 associated with the state share of salaries, as provided under 14 Del. C. § 1305.

17 (5) In order to maximize resources provided under this program, local school districts are  
18 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the  
19 provisions of 14 Del C. § 1902(b).

20 (6) Local school districts may use funds appropriated pursuant to this section to contract with  
21 private or non-profit instruction or tutoring services provided that there is evidence of  
22 building level conversations regarding contracted services.

23 (7) If, after the applications are received by the Department of Education, a local district does  
24 not choose to utilize the full amount to which they are entitled, the Department of  
25 Education may allocate any remaining amount through a competitive RFP process.

26 (c) The following criteria shall apply to the component of the program that serves students in any  
27 grade levels:

1 (1) Allocations for this component shall be provided in proportion to the total Division I  
2 units in each school district, multiplied by the state portion of the average teacher salary  
3 in the district in the immediately preceding fiscal year.

4 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
5 \$400.0 is to be utilized.

6 (1) This funding shall serve students in kindergarten through third grade who are identified  
7 during their kindergarten and first grade years as being inadequately prepared to succeed  
8 in reading or are performing below grade level.

9 (2) This funding shall be utilized exclusively to provide supplemental services or teaching  
10 methods designed to improve the reading abilities of students with the goal being that  
11 they achieve and maintain their appropriate grade level reading ability. These services  
12 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.  
13 The school districts are strongly encouraged to use programs including, but not limited  
14 to, Reading Assist and other research based multi-sensory programs.

15 (3) The funding for this component may provide services outside of the normal school  
16 operation timeframe as specified in subsections (c) and (d) of this section or may be used  
17 during the regular school day, provided however that the services being offered are  
18 supplemental to the reading instruction the student would otherwise normally receive.

19 (e) The Department of Education shall determine common data definitions and data collection  
20 methodologies for each program in this section. Districts shall use such definitions and methodologies  
21 and shall provide information as requested by the Department of Education. This information shall  
22 include but not be limited to the following: state identification number for each student served, total  
23 number of program contact hours per student, content area(s) addressed, and evidence of academic  
24 improvement. The Department of Education shall prepare a statewide management report to identify  
25 needs for program improvement and best practice.

26 Section 320. Section 1 of this Act appropriates 30.7 FTEs, of which up to 4.0 shall be authorized  
27 as teachers/supervisors, 22.7 authorized as teachers, 3.0 authorized as secretaries for the Department of

1 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of  
2 employees for the prison education program shall be the same as the qualification for employees in the  
3 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
4 responsibilities and duties developed by the Department of Education.

5 Salary for employees in the prison education program when paid from funds of this State, shall be  
6 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
7 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the  
8 ten month amount shall be multiplied by 1.1 or 1.2 respectively. Employees whose primary job location  
9 is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit  
10 System. Teachers/supervisors shall receive an administrative supplement of four to eight percent to be  
11 determined by the Department of Education with the approval of the co-chairs of the Joint Finance  
12 Committee.

13 Students served under this program shall not be included in the calculation for unit count  
14 purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may transfer funds  
15 between lines and departments to pay for this program.

16 Section 321. Any provisions of the Delaware Code to the contrary notwithstanding, the  
17 Department of Education is authorized and directed to provide aides for the purpose of providing  
18 mainstreaming services to deaf students as follows: three in Capital School District, three in Cape  
19 Henlopen School District and one in Milford School District.

20 Section 322. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
21 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
22 Consortium is formed to provide for overall program development and management, coordination and  
23 technical assistance. The Consortium will review and provide technical assistance and in-service training  
24 for each proposal submitted to the Department of Education by any partnership initiating or operating a  
25 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
26 and federal legislation.

1           The Consortium Board of Directors shall include: the President or designee of the Delaware  
2 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
3 School District, Polytech School District and the Sussex County Technical School District; the State  
4 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
5 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
6 State University and Wilmington College and one representative of business and industry. The  
7 superintendent or designee of two comprehensive local school districts will also be appointed  
8 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
9 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
10 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
11 are eligible.

12           Polytech School District will act as financial agent for the Consortium and an annual financial  
13 and program report will be submitted to the co-chairs of the Joint Finance Committee.

14           The Consortium may select another member to serve as the financial agent in a subsequent year  
15 consistent with the rules and procedures it adopts.

16           Section 323. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
17 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
18 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
19 support and enrichment for students. Funding shall provide approximately six to ten pilot programs  
20 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
21 businesses. The Department of Education shall administer a competitive grant process focused on the  
22 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
23 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
24 and outreach to parents, especially those who are reluctant to interact with schools.

25           Section 324. Section 1 of this Act makes an appropriation to the State Board of Education, Block  
26 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,  
27 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

1           The Department of Education shall administer an application process to determine grant awards  
2 to local districts.

3           If funds provided under this section are used for costs associated with teachers and aides, funds  
4 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

5           Section 325. Section 1 of this Act appropriates \$2,729.2 to Public Education, Block Grants and  
6 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. The Department of  
7 Education is authorized to provide Reading Resource Teachers to elementary schools based upon  
8 demonstrated need. Demonstrated need shall be determined by the largest percentage of third and/or  
9 fifth-grade students scoring below the standard on the reading component of the 2000 DSTP. This  
10 funding shall provide one Reading Resource Teacher to the 50 schools with the highest percentage of  
11 third and/or fifth-grade students scoring below the standard on the reading component of the 2000 DSTP.  
12 Reading Resource Teachers shall provide direct reading instruction to students which must include  
13 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading  
14 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading  
15 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.  
16 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with  
17 documented classroom success in teaching reading.

18           This appropriation will provide qualifying schools within districts the state share of salaries in  
19 accordance with 14 Del. C. §1305 for 10-month Reading Resource Teachers, as well as the appropriate  
20 per unit amount of Division III funding. In order to maximize resources provided under this program  
21 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the  
22 provisions of 14 Del. C. §1902(b).

23           Section 326. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,  
24 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This  
25 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
26 adopted by the Joint Finance Committee on April 16, 1981.

1 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2004,  
2 shall be allocated and shall not exceed \$56,567.0 (of which \$4,214.3 is designated as a transportation  
3 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
4 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
5 amendments and procedural modifications:

6 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state  
7 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28  
8 per gallon for contractors. For districts and contractors north of the Chesapeake and  
9 Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank  
10 (5,000 or more gallons). In the case of contractors located south of the Chesapeake and  
11 Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275  
12 - 1,900 gallons). Upon determination by the Department of Education that a contractor  
13 located North of the Chesapeake and Delaware Canal and operating five or fewer buses  
14 does not have existing storage capacity in the large tank range, the per gallon price shall  
15 be based on the smaller tank size.

16 The initial fuel rates shall be based on the state contract bid price as of June 1 of the  
17 preceding fiscal year. Funding adjustment will be made when the annual average price  
18 increases or decreases by at least five cents per gallon. The first review will be based on  
19 the annual averages through December 31 of each year. Additional reviews will be  
20 conducted each month thereafter until April 30.

21 (2) The Fiscal Year 2004 operating allowance will be adjusted for inflation by a rate of 0.67  
22 percent.

23 (3) For the fiscal year ending June 30, 2004, the allowable cost of a new bus purchased by a  
24 contractor shall be the Fiscal Year 2003 state bid price for new buses minus two percent  
25 for salvage value, plus eleven percent to account for dealer charges and profits not  
26 reflected in the state bid price due to the higher number of buses being purchased and the  
27 lag time between the ordering and delivery. The Department of Education shall continue



1 to utilize the procedures developed in Fiscal Year 1989 for determining the allowable  
2 cost for any size bus that it did not bid in Fiscal Year 2003. In addition to the procedure  
3 for establishing the allowable cost of a new bus specified above, the Department of  
4 Education is requested to structure its bids for buses in the fiscal year ending  
5 June 30, 2004, in such a manner that public school bus contractors will be permitted to  
6 purchase buses from the successful lower bidder at the same price as the State of  
7 Delaware. If a contractor elects to purchase a bus at the bid price, the lowest base bid of  
8 an awarded contract minus two percent for salvage value will be the allowable cost in  
9 subsequent reimbursements to the contractor.

10 (4) The formula for providing allowances to public school bus contractors for the cost of  
11 liability insurance shall be determined in consultation with the contractor insurance  
12 vendors, the Insurance Commissioner and the Insurance Coverage Office utilizing  
13 data available in June of the previous fiscal year.

14 (5) There is hereby established a committee consisting of the Budget Director, Controller  
15 General and the Secretary of Education (or their designees), as well as two school district  
16 transportation supervisors and two bus contractor representatives to review the  
17 methodology for determining school bus contractor capital allowances. The Committee  
18 shall submit a report to the Joint Finance Committee by April 1, 2004.

19 (c) The Department of Education shall amend its transportation formula to permit replacement of  
20 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle  
21 which has operated 150,000 school-related miles regardless of the age of the vehicle.

22 (d) The Department of Education is authorized to amend its formula to allow the purchase of  
23 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer  
24 available.

25 (e) Except as specified in this section, or for changes in the price of gasoline, or for the  
26 adjustments of those items changed by state or federal laws, the Department of Education shall not

1 change the transportation formula unless the change has been authorized by the General Assembly and  
2 an appropriation therefore has been made by the General Assembly.

3 (f) The Department of Education is authorized to amend its formula such that automatic  
4 transmission shall be considered standard equipment on contractor and school district bus purchases.

5 (g) The Department of Education is authorized to amend its transportation formula to change the  
6 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-  
7 gallon.

8 (I) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a maximum of  
9 twelve air conditioned buses to transport special need students. The Department of Education is  
10 authorized to amend its formula to allow the purchase of air conditioned buses which may be required  
11 to transport special education students that have a medical need for air conditioning (specified by a  
12 physician), and that go to a special education school.

13 Section 327. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the  
14 Department of Education, modifications requested by charter schools associated with the provision of  
15 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be  
16 considered a minor modification.

17 Section 328. Notwithstanding any other provisions of the Delaware Code or this Act to the  
18 contrary, the Department of Education is authorized to approve and provide funding for additional  
19 transportation routes necessary to support the Seaford School District's pilot implementation of a  
20 balanced calendar schedule, beginning in Fiscal Year 2003.

21 Section 329. (a) During the fiscal year, the Department of Education is hereby directed to  
22 provide bus transportation of public school students previously declared ineligible by the Unique Hazards  
23 Committee, including the following:

- 24 (1) Students attending the Stanton Middle School who are now forced to walk along  
25 Telegraph Road with a constant threat of injury.

- 1 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
2 Road with a constant threat of injury.
- 3 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
4 who attend the Seaford schools, grades K-6.
- 5 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
6 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.
- 7 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
8 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
9 to duPont Street on the east-west grid.
- 10 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
11 along Kirkwood Highway with a constant threat of injury.
- 12 (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east  
13 of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- 14 (8) Students attending Delcastle Technical High School who live in Newport and are forced  
15 to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- 16 (9) Students attending Woodbridge Junior-Senior High School who must travel along Route  
17 13A south of Bridgeville, and students living west of Bridgeville who must travel along  
18 Route 404 or Route 18.
- 19 (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area  
20 between Sunnyside Road and U.S. 13 and who would otherwise be required to walk  
21 along U.S. 13 in order to reach school.
- 22 (11) Students attending the Concord High School who live south of Naamans Road in the  
23 Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk  
24 along Grubb and/or Naamans Road with a constant threat of injury.
- 25 (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of  
26 Laurel and the surrounding areas.

- 1 (13) Students attending Dover High School who live in Old Sherwood, south of Waples  
2 Avenue.
- 3 (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk  
4 along Bellevue Road.
- 5 (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross  
6 over and/or walk along River Road between Lore and Bellevue.
- 7 (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along  
8 Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of  
9 injury.
- 10 (17) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4  
11 at Pierson Drive intersection.
- 12 (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary  
13 School.
- 14 (19) Woodbridge Elementary School students living in the town of Greenwood, west of the  
15 railroad tracks.
- 16 (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of  
17 Bridgeville to Bridgeville north of town limits including streets with access to that part of  
18 Route 13A.
- 19 (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney  
20 Brook areas, students who reside in the Woodacre Apartments and students who live  
21 along Peachtree Road.
- 22 (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and  
23 Eden Ridge who must cross Concord Pike.
- 24 (23) Sussex Central High School and Georgetown Elementary School students who live east  
25 of Bedford Street.
- 26 (24) Lombardy Elementary School students who must cross Foulk Road.
- 27 (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.

- 1 (26) Students attending the Colwyck Elementary School who live in the Landers Park and  
2 Swanwyck Gardens residential areas.
- 3 (27) Students attending Central Middle School, living in the area south of Kent General  
4 Hospital, to include students living along and south of Westview Terrace, Dover Street,  
5 Hope Street and Sackarackin Avenue.
- 6 (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- 7 (29) Students attending Brandywine High School who live in Concord Manor and are forced  
8 to walk along Shellpot Drive and Windley Hill.
- 9 (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School  
10 in the Smyrna School District who live on Buresch Drive.
- 11 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
12 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
13 Brandywine School district who lives along Grubb Road (between Naamans Road and  
14 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
15 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
16 school.
- 17 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
18 Darley Road Elementary School.
- 19 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
20 Westfield who must cross Limestone Road.
- 21 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the  
22 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.
- 23 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap  
24 Pike.
- 25 (36) Students attending Mt. Pleasant High School who reside in the vicinity of Rysing Drive  
26 in Edgemoor Gardens, in the vicinity of Rysing Drive in the Village of Woods Edge, and  
27 in the vicinity of Edgemoor Road in Edgemoor Terrace.

1 The transportation of the students specified herein shall continue until the funds requested are  
2 appropriated and construction is completed. Spur routes shall continue to be served as at present.

3 Section 330. (a) Notwithstanding the provisions of any state law to the contrary, the Red Clay  
4 Consolidated School District is authorized to utilize state transportation dollars to fund students travelling  
5 from routes to and from the Cab Calloway School of the Arts and Brandywine Spring Elementary School  
6 and the Indian River School District is authorized to utilize state transportation dollars to fund students  
7 travelling from routes to and from the Southern Delaware School of the Arts.

8 (b) The Department of Education shall conduct a review of school transportation routes as they  
9 relate to magnet schools within the State. The Department shall submit the findings of said review to the  
10 Budget Director and Controller General by December 1, 2003.

11 Section 331. During the fiscal year, the Department of Education will continue and broaden  
12 implementation of the computerized routing system for school bus transportation. During this  
13 implementation, the Department is directed to continue to provide bus transportation services to any  
14 residential area which has received transportation services since October 1, 1977.

15 Section 332. The National Highway Traffic Safety Administration (NHTSA) is conducting a  
16 research program to consider alternative methods of potentially improving federal school bus passenger  
17 crash protection requirements. Based upon NHTSA's report, the Department of Education will  
18 recommend changes to the Delaware school bus specifications so that all school buses will continue to be  
19 in compliance with federal safety standards.

20 Section 333. During the fiscal year, the Department of Education is hereby directed that students  
21 attending the Woodbridge School District, who live in the Canterbury Apartments in Bridgeville, will  
22 embark and disembark in the parking lot of the apartment complex in lieu of the bus stop area along the  
23 heavily traveled U.S. 13.

24 Section 334. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)  
25 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following  
26 reimbursement methodology is in effect:

1 (a) For those school districts or private contractors who are operating school buses equipped with  
2 cellular phone technology or have no radio or telephonic communication equipment, the  
3 Department of Education is authorized to bring said districts and contractors under a State  
4 negotiated cellular phone contract such that the State shall pay one-half of the costs  
5 associated with the monthly connect charge, subject to the availability of funds.

6 (b) For those school districts or private contractors who are operating school buses equipped with  
7 radio equipment, the department is authorized to reimburse said districts or contractors one-  
8 half of the installation cost of the radio equipment on a one-time basis.

9 Section 335. During the fiscal year, the Department of Education shall plan a pilot regional  
10 transportation system which may be implemented in Fiscal Year 2005 that allows charter schools and  
11 local districts to consolidate routes, operate systems outside of their local boundaries and transport non-  
12 district students in an effort to generate system efficiencies and potential cost savings. The plan shall be  
13 submitted to the Joint Finance Committee by May 1, 2004, for approval before implementation in Fiscal  
14 Year 2005.

15 Section 336. Section 1 of this Act appropriates \$1,000.0 to the Department of Education -  
16 Delaware Center for Educational Technology (DCET) for a Technology Block Grant. DCET shall  
17 administer a non-competitive application process to determine grant awards to local school districts and  
18 charter schools. Funds provided by this Act shall be used in the following priority order: (1) Supporting  
19 the maintenance of existing equipment in the schools either through the use of a full time technology  
20 position or contractually, (2) replacement of existing equipment, or (3) such other technology needs as  
21 may arise which could improve or enhance the technology capabilities of the district. If funds provided  
22 under this section are used for costs associated with positions, funds may only be used for costs  
23 associated with the state share of salary as provided in 14 Del. C. § 1305, § 1311 and § 1324. Funding  
24 will be distributed based on the formula developed and approved by the co-chairs of the Joint Finance  
25 Committee in Fiscal Year 2001. Local districts are encouraged to match their allocation pursuant to the  
26 provisions of 14 Del. C. § 1902(b), provided the local match does not exceed those established under 71  
27 Del Laws, c. 378. It shall be the responsibility of the Department of Education to receive and disburse

1 these funds. The department shall also be charged with the authority to verify the use of the funds and  
2 shall require each school district to annually report on expenditures of the funds.

3 Section 337. Section 1 of this Act provides an appropriation to the Delaware Center for  
4 Education Technology (DCET). It is the intent of the General Assembly that DCET be responsible for  
5 and engage in activities related to total project needs and budgets for statewide education technology  
6 projects, the establishment of cost-sharing policies, the initiation, procurement and maintenance of  
7 statewide education technology contracts, 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 Section 338. Amend 14 Del. C. §4202(b) by deleting the first sentence and inserting in lieu  
12 thereof the following:

13 "The Center shall be governed by a Board to consist of 13 voting members as follows:

- 14 1. Three persons appointed by the Governor with expertise in the field of computer information  
15 systems;
- 16 2. Two persons who shall be public school district superintendents;
- 17 3. Two persons who shall be public school teachers appointed by the Delaware State Education  
18 Association, who are knowledgeable in computer technology and can assist with the practical  
19 implementation of telecommunications technology;
- 20 4. Two persons who shall be public school district principals, 1 from the elementary level and 1  
21 from the secondary level both appointed by the Delaware Association of School  
22 Administrators;
- 23 5. One person who shall be a school district information technology specialist appointed by the  
24 Technology Managers and Coordinators Council, and;
- 25 6. One person who shall be a school district curriculum coordinator appointed by INTEGRATE  
26 (Instructional Technology Guiding Rigorous Academics and Teaching Excellence)."



1           Section 339. Amend 14 Del. C. §4202(c) by deleting said subsection in its entirety and inserting  
2 a new subsection to read as follows:

3           "(c) The 2 superintendent members shall be elected by the collective group of public school  
4 district superintendents meeting in a public session. The Secretary of Education shall not have a vote. The  
5 terms of office for the 2 elected superintendent members shall be for a term of 3 years. No superintendent  
6 member shall serve more than 2 consecutive terms and each member must be actively employed by a  
7 public school district of the State as a superintendent or cease to be a member of the Board."

8           Section 340. Amend 14 Del. C. §4202(c) by deleting the phrase "With the exception of initial  
9 terms of office for the 3 elected superintendent members and the restriction that each of those members  
10 must be active superintendents," as it appears in the first sentence of the second paragraph of said  
11 subsection and inserting in lieu thereof the word "For ".

12           Section 341. (a) Section 1 of this Act reflects a transition of 3.0 FTEs, \$255.4 in Personnel Costs  
13 and \$50.0 in Contractual Services from the Delaware Center for Educational Technology (95-07-01) to  
14 the Department of Technology and Information, Telecommunications (11-02-04) for the purposes of  
15 streamlining, maximizing and making more efficient the use of state resources to accomplish the common  
16 goal of providing superior services to state agencies, public education and Delaware's citizens. In no case  
17 shall any current employee of the Delaware Center for Educational Technology be terminated during the  
18 transition process. The Department of Technology and Information shall support and enhance statewide  
19 education technology issues and network. In addition, DTI will collaborate with the Department of  
20 Education to provide professional training programs related to using technology in schools which  
21 promote and support Delaware's education standards initiative.

22           (b) Section 1 of this Act reflects a transition of 4.0 FTEs and \$332.6 in Americorps Kickstart  
23 Program from the State Board of Education (95-01-01) to the Delaware Center for Educational  
24 Technology (95-07-01) to enhance the State's capacity to deliver technology programs in Delaware's  
25 public schools. The Americorps Kickstart Program shall continue to refurbish and supply requesting  
26 schools updated technology.

1           Section 342. Amend 14 Del. C. §4203(3) by deleting the last sentence of said subsection in its  
2 entirety and inserting a new sentence to read as follows:

3           "The general control and supervision of employees of the Center, including the Executive  
4 Director, shall be that of the Department of Education."

5           Section 343. The provisions of this Act to the contrary notwithstanding, consistent with the  
6 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional  
7 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra  
8 Time for Students and Minor Capital Improvements program will not be required to submit an application  
9 to the Department of Education. Any funds received as a result of the allocation of these programs may  
10 be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

11           Section 344. Section 1 of this Act makes an appropriation to the Delaware Higher Education  
12 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the  
13 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$225.0 shall be  
14 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;  
15 \$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$40.0 for the  
16 Legislative Essay Scholarship; \$64.2 for the Charles L. Hebner Scholarship; and \$50.0 for Critical  
17 Teacher Scholarships. Any Herman M. Holloway Sr. Scholarship Program funds remaining after  
18 payment of the Holloway Scholarships, may be awarded to Delaware State University students with  
19 financial need who applied to the Scholarship Incentive Program.

20           Section 345. The Delaware Higher Education Commission (DHEC) in the initial award cycle of  
21 the SCIP Program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any  
22 given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the  
23 subsequent year with approval of the Department of Education. In the event that actual awards exceed  
24 projected award amounts, spring awards may be reduced to cover the difference.

25           Section 346. Notwithstanding any other provision to the contrary, for the fiscal year the  
26 following position numbers and corresponding salaries shall be in effect:

27           #00052383       Accountant II                               \$27,920

1	#00056437	Higher Education Analyst	\$39,694
2	#00069720	Higher Education Analyst	\$42,938
3	#00081644	Data Analyst	\$44,521
4	#00052384	Administrative Management	\$54,759
5	#00052382	Administrative Assistant I	\$27,203
6	#00052395	Appointed Official	Salary set pursuant to Section
7			10 of this Act

8           Upon vacancy of any of the positions listed above, the Department of Education shall review said  
9 vacant position with respect to current responsibilities and salary classification and shall submit any  
10 recommended changes to the Budget Director and Controller General for approval.

11           The Department of Education may submit a staff integration plan to the Joint-Finance Committee  
12 Co-Chairs, Budget Director and Controller General no later than January 1, 2004 for approval. The  
13 integration plan shall be effective upon approval.

14           Section 347. Section 1 of this Act makes an appropriation of \$100.0 to the Delaware Higher  
15 Education Commission (95-08-01) for the National Board Certification Loan Program. DHEC shall  
16 administer a non-competitive loan program for educators pursuing certification from National Board for  
17 Professional Teaching Standards. Loans shall be made to cover costs associated with the application fee  
18 and assessment process. If there are more individuals requesting funds than funds appropriated, DHEC  
19 shall prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years  
20 of achieving National Board Certification or within three years from the start of the program whether the  
21 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the  
22 borrower must repay all funds received with interest as determined by the Delaware Higher Education  
23 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is  
24 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

25           Section 348. The Delaware Higher Education Commission is hereby authorized to use up to  
26 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the  
27 recognition of students who are awarded scholarships associated with that appropriation.

1           Section 349. During the fiscal year, the Department of Education, with the approval of the State  
2 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
3 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
4 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
5 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the  
6 Department of Education is authorized to engage the professional services of a cadre of single hearing  
7 officers to preside over such hearings.

8           Section 350. The Brandywine School District Board shall maintain as a stand alone program its  
9 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
10 Academically Gifted Program) at least through the end of the 2005 - 2006 school year. The program shall  
11 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently  
12 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,  
13 recruitment, assessment of students for entry into the program, curriculum development, teacher  
14 assignment and other support elements as currently exist.

15           The Board shall make no decision on the future of the Gifted and Talented Program as it relates to  
16 its configuration as a stand alone program at its current locations prior to July 1, 2004.

17           Section 351. The Department of Education shall continue to work towards the collection of  
18 school-level financial data. To this end, when processing transactions in the Delaware Financial  
19 Management System (DFMS), local school districts shall use a standard set of program codes as  
20 established by the Department of Education effective July 1, 2003.

21           Section 352. In accordance with the statewide healthcare reconciliation, beginning this fiscal  
22 year Capital School District will pay one-fifth of the total amount owed each fiscal year, ending in Fiscal  
23 Year 2008.

24           Section 353. 72 Del. Laws, c. 258 appropriated \$4,000.0 to the Appoquinimink School District to  
25 implement a \$4,500.0 Critical Classroom Acquisition Program (CCAP). The total local share of this  
26 project shall be \$1,300.0. In Fiscal Year 2000, the district utilized \$500.0 of its Division III Equalization

1 funds. The remaining \$800.0 shall be repaid by the State withholding Division III Equalization funds in  
2 accordance with the following schedule:

3	Fiscal Year 2001	\$160.0
4	Fiscal Year 2002	\$160.0
5	Fiscal Year 2003	\$160.0
6	Fiscal Year 2005	\$160.0
7	Fiscal Year 2006	\$160.0

#### SYNOPSIS

This Bill is the Fiscal Year 2004 Appropriation Act.

Author: Joint Finance Committee