

CHAPTER 212
FORMERLY
HOUSE BILL NO. 295

AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

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

Section 1. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 164 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 164. Community Transportation Funds. Notwithstanding any provision of Title 29 to the contrary, the Delaware Department of Transportation is hereby authorized to use Community Transportation Funds for a one-time reimbursement to each of the following:

- (1) The American Legion Post #14 – Smyrna, in the amount of \$45,000 for parking lot improvements.
- (2) The Del Vets Post #2 – Dover, in the amount of \$35,000 for parking lot improvements.
- (3) The Modern Maturity Center, in the amount of \$73,000 for parking lot improvements.
- (4) The New Castle Conservation District, in the amount of \$9,937 for the Port Penn, Fishers Wharf Road Project.
- (5) The City of Wilmington, in the amount of \$300,000 for the demolition and improvement of pool areas within Canby Park..
- (6) The Laurel Fire Department, in the amount of \$25,000 for sign improvements.

Section 2. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 165 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 165. Reprogramming. Notwithstanding the provisions of any other state law, the Director of the Office of Management and Budget and the Controller General shall be authorized to transfer funds from the Department of Finance (2018-25-01-01-20063) to support the Delaware Strategic Fund, not in excess of the amount from the New Jobs Infrastructure Fund reprogrammed in the Fiscal Year 2018 Bond and Capital Improvements Act for such purposes. Upon transfer, the balance in the New Jobs Infrastructure Fund used to support the Delaware Strategic Fund in Fiscal Year 2018 shall be deauthorized for such purposes and be available for reauthorization for the Fiscal Year 2019 Bond and Capital Improvements Act.

Section 3. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 166 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 166. DTCC Critical Capital Needs. The Director of the Office of Management and Budget and Controller General shall establish an appropriation in Delaware Technical Community College, Office of the President (90-04-01) for Critical Capital Needs/Deferred Maintenance. The unencumbered balances for the following projects shall be transferred to the Critical Capital Needs/Deferred Maintenance appropriation to begin the process of realigning Delaware Technical Community College's critical capital needs with available capital funding, particularly to address needs identified in the College's April 2015 Capital Needs Report as follows:

- (1) Collegewide Asset Preservation/MCI (2018-90-04-01-50354).
- (2) Owens Learning Commons (2015-90-04-02-50203, 2016-90-04-01-50203, and 2017-90-04-02-50203).
- (3) Owens Campus Improvements (2016-90-04-02-50271 and 2017-90-04-02-50271).
- (4) Wilmington East Building Renovation and Expansion (2016-90-04-02-50205).
- (5) Stanton/George Campus Improvements (2017-90-04-04-50325 and 2017-90-04-05-50325).
- (6) Student Services Building (2015-90-04-06-50204 and 2016-90-04-06-50204).
- (7) Terry Campus Improvements (2017-90-04-06-50272).

Section 4. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 167 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 167. Wilmington Transit Center Public-Private Partnership. The Department of Transportation may subordinate the State’s fee interest in tax parcel numbers 26-043.40-050, 26-043.40-051, 26-043.40-054, and 26-043.40-055 (the “Project Site”), to a leasehold mortgage or mortgages securing a project loan and/or loans to be granted to Transit Center, LLC for purposes of constructing the facility known as the “Wilmington Transit Center” and associated parking structure for a term of 50 years. Notwithstanding any provisions of Chapter 91 of Title 7 to the contrary, Transit Center, LLC is not considered a potentially liable party with respect to the existing environmental condition at the Project Site as of the date it acquires a leasehold interest in the property.

Section 5. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 168 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 168. Sheep Pen Road. The Department of Transportation may not vacate Sheep Pen Road in Millsboro and must keep the roadway in the state highway system.

Section 6. Amend Chapter 59, Volume 81 of the Laws of Delaware by adding a new Section 169 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 169. Garashes “L” Project. The Department of Transportation may transfer funds, not to exceed \$2,000,000, to the Riverfront Development Corporation for the purposes of constructing the improvements needed for the Garashes “L” project, in order to support economic development initiatives in the south Wilmington area along US 13. The Garashes “L” project consists of the realignment of the roadway, sidewalk connections, drainage, and environmental remediation. The Garashes “L” project must be constructed per the Department’s approved plans, completed no later than May 2019, and comply with all applicable procurement laws.

Approved February 14, 2018