



SPONSOR: Rep. Roy Sen. Blevins
Carey Cook
Lofink McBride
Oberle Venables
Schroeder Bonini
Williams Connor
Cathcart
Miro
Stone
Wagner
Keeley

HOUSE OF REPRESENTATIVES

141st GENERAL ASSEMBLY

HOUSE BILL NO. 600

JUNE 27, 2002

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2003; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

- 1 Section 1. Fiscal Year 2003 Capital Improvements Project Schedule Addendum. The General
- 2 Assembly hereby authorizes the following projects in the following amounts to be expended for the purposes
- 3 set forth in this Section and as described in the Fiscal Year 2003 Governor's Recommended Capital Budget and
- 4 Project Information document. Any authorization balance (excluding Transportation Trust Fund balances)
- 5 remaining unexpended or unencumbered by June 30, 2005, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR-IZATIONS	DEAUTHOR-IZATION OF	REVERSION REAUTHORIZA-TION AND	STRIPPER WELL	TRANS. TRUST FUND	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
				STATE GUAR-ANTEED BONDS	REPROGRAMMING		REAUTH.	FUNDS	FUNDS		
LEGISLATURE											
GIS Plotter	01-08-02	03001BGE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000
	Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000
OFFICE OF THE BUDGET											
Banyan Migration	10-02-01	03002BBE	\$ 6,465,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,465,000
Blendt Farm Purchase	10-02-01	03003BBL	500,000	-	-	-	-	-	-	-	500,000
Agriculture Research & Education Center	10-02-01	03004BGE	-	-	-	-	-	-	75,000	-	75,000
	Subtotal:		\$ 6,965,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ -	\$ 7,040,000
DELAWARE ECONOMIC DEVELOPMENT OFFICE											
Delaware Strategic Fund	10-03-03	94001BGD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000
Biotechnology Institute	10-03-03	00005BBD	2,500,000	-	-	-	-	-	-	-	2,500,000
DSU High Technology Incubator	10-03-03	01005BBD	500,000	-	-	-	-	-	-	-	500,000
Small Business Development Center	10-03-03	03005BGD	-	-	-	-	-	-	35,000	-	35,000
Working Capital	10-03-03	03006BGD	-	-	-	-	-	-	100,000	-	100,000
Riverfront Development Corporation	10-03-03	00004BGD	-	-	-	-	-	-	2,500,000	-	2,500,000
Blades Marina	10-03-03	99011BBD	200,000	-	-	-	-	-	-	-	200,000
	Subtotal:		\$ 3,200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,635,000	\$ -	\$ 15,835,000
STATE											
Veterans Home	20-01-01	03007BGP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000
Museum Maintenance	20-06-01	03008BGM	-	-	-	-	-	-	100,000	-	100,000
Laurel Public Library	20-08-01	01008BBC	600,000	-	-	-	-	-	-	-	600,000
NCC North Regional Library	20-08-01	93002BBC	802,200	-	-	-	-	-	-	-	802,200
Seaford District Library	20-08-01	01011BBP	514,000	-	-	-	-	-	-	-	514,000
Selbyville Public Library	20-08-01	01008BRC	-	-	55,900	-	-	-	-	-	55,900
Smyrna Public Library	20-08-01	02004BRP	-	-	11,500	-	-	-	-	-	11,500
Wilmington Institute Library, Woodlawn Branch	20-08-01	01012BBC	35,000	170,000	25,000	-	-	-	-	-	230,000
	Subtotal:		\$ 1,951,200	\$ 170,000	\$ 92,400	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ 2,363,600

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR-IZATIONS	DEAUTHOR-IZATION OF STATE GUAR-ANTEED BONDS	REVERSION REAUTHORIZA-TION AND REPROGRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
ADMINISTRATIVE SERVICES											
Environmental Compliance (UST/Asbestos)	30-05-10	00027BGM	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	900,000	\$ -	900,000
Minor Capital Improvements and Equipment	30-05-10	82021BSM 82021BGM	-	-	-	200,000	-	-	1,109,000	-	1,309,000
Architectural Barrier Removal	30-05-10	91016BGM	-	-	-	-	-	-	150,000	-	150,000
Minor Capital Improvements and Equipment - Judicial	30-05-10	96013BGM	-	-	-	-	-	-	170,000	-	170,000
New Castle County Family Court Renovations	30-05-10	03009BGR	-	-	-	-	-	-	114,100	-	114,100
Sussex County Courthouse	30-05-10	96010BBC	2,000,000	-	-	-	-	-	-	-	2,000,000
Department of State Projects											
Old New Castle County Courthouse	30-05-10	02016BBM	466,300	-	-	-	-	-	-	-	466,300
Minor Capital Improvements and Equipment - State	30-05-10	98003BGM	-	-	-	-	-	-	356,000	-	356,000
Department of Health and Social Services Projects											
Maintenance and Restoration	30-05-10	97016BGM	-	-	-	-	-	-	1,700,000	-	1,700,000
Minor Capital Improvements and Equipment -DHSS	30-05-10	83029BGM	-	-	-	-	-	-	218,000	-	218,000
Department of Correction Projects											
Minor Capital Improvements and Equipment - Correction	30-05-10	80005BBM 80005BGM	1,781,800	-	-	-	-	-	82,200	-	1,864,000
Delaware National Guard Projects											
Minor Capital Improvements and Equipment - DNG	30-05-10	91051BGM	-	-	-	-	-	-	290,000	-	290,000
Subtotal:			\$ 4,248,100	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ 5,089,300	\$ -	\$ 9,537,400
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL											
Brandywine Park Ballfields	40-06-02	03010BGO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,000	\$ -	2,000
Brandywine Park War Memorials	40-06-02	03011BGO	-	-	-	-	-	-	28,000	-	28,000
Cape Henlopen Park Improvements	40-06-02	03012BGO	-	-	-	-	-	-	50,000	-	50,000
Dams/Water Control Structures	40-07-01	03013BBP	100,000	-	-	-	-	-	-	-	100,000
Tax/Public Ditches	40-07-02	78031BRC	-	-	800,000	-	-	-	-	-	800,000
Beach Preservation	40-07-03	78032BBO	1,000,000	-	-	-	-	-	-	-	1,000,000
Conservation Cost Sharing Program	40-07-04	85033BBO	2,345,000	-	-	-	-	-	-	-	2,345,000
Subtotal:			\$ 3,445,000	\$ -	\$ 800,000	\$ -	\$ -	\$ -	\$ 80,000	\$ -	\$ 4,325,000
PUBLIC SAFETY											
State Police Helicopter Replacement	45-01-01	96023BGE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	548,000	\$ -	548,000
State Police Bomb Truck	45-06-01	03014BGE	-	-	-	-	-	-	35,000	-	35,000
Subtotal:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 583,000	\$ -	\$ 583,000

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR-IZATIONS	DEAUTHOR-IZATION OF STATE GUAR-ANTEED BONDS	REVERSION REAUTHORIZA-TION AND REPROGRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
TRANSPORTATION											
Road System	55-05-00	02023BTT	\$ -	\$ -	\$ -	\$ -	\$ 3,241,540	\$ 140,665,860	\$ -	\$ -	\$ 143,907,400
Grants and Allocations	55-05-00	02024BTT	-	-	-	-	-	26,100,000	-	-	26,100,000
Transit System	55-05-00	02025BTT	-	-	-	-	-	15,646,500	-	-	15,646,500
Support System	55-05-00	02026BTT	-	-	-	-	6,364,460	32,724,540	-	-	39,089,000
Subtotal:			\$ -	\$ -	\$ -	\$ -	\$ 9,606,000	\$ 215,136,900	\$ -	\$ -	\$ 224,742,900
FIRE PREVENTION COMMISSION											
Hydraulic Rescue Tools (Claymont, Wilmington Manor, Carlisle, Citizens House)	75-02-01	92017BGE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000
Subtotal:			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000
UNIVERSITY OF DELAWARE											
Wolf Hall Renovation	90-01-01	01032BBR	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000
DuPont Hall Expansion	90-01-01	02028BBC	1,500,000	-	-	-	-	-	-	-	1,500,000
Subtotal:			\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000
DELAWARE STATE UNIVERSITY											
Administration Building	90-03-01	99049BBC	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Multi-purpose Sports/Wellness Complex	90-03-01	02029BBC	1,500,000	-	-	-	-	-	-	-	1,500,000
Minor Capital Improvements and Equipment	90-03-01	80074BBE	1,000,000	-	-	-	-	-	-	-	1,000,000
Subtotal:			\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR-IZATIONS	DEAUTHOR-IZATION OF STATE GUAR-ANTEED BONDS	REVERSION REAUTHORIZA-TION AND REPROGRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
DELAWARE TECHNICAL AND COMMUNITY COLLEGE											
Excellence Through Technology Campaign	90-04-01	97024BGO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	300,000	\$ -	300,000
Collegewide Asset Preservation Program	90-04-01	02030BBM	1,380,000	-	-	-	-	-	-	-	1,380,000
Repair/Renovation of Jason Bldg- Owens Campus	90-04-02	95041BBC	655,000	-	-	-	-	-	-	-	655,000
Stanton Campus Expansion	90-04-04	01035BGO	-	-	-	-	-	-	10,000	-	10,000
Renovation/Equipment - Stanton/Wilmington	90-04-04	00056BGR	-	-	-	-	-	-	340,000	-	340,000
Education and Technology Building - Terry Campus	90-04-06	97025BBR	815,000	-	-	-	-	-	-	-	815,000
Subtotal:			\$ 2,850,000	\$ -	\$ -	\$ -	\$ -	\$ -	650,000	\$ -	3,500,000
EDUCATION											
Architectural Barrier Removal	95-01-01	91074BBM	\$ 159,500	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	159,500
Caesar Rodney, Renovate Caesar Rodney High (80/20)	95-10-00	01042BBR	8,741,600	-	-	-	-	-	-	-	8,741,600
Caesar Rodney, Renovate Star Hill Elementary (80/20)	95-10-00	03015BBR	743,100	-	-	-	-	-	-	-	743,100
Caesar Rodney, Renovate Charlton School (100% State)	95-10-00	02042BBC	4,400,000	-	-	-	-	-	-	-	4,400,000
Capital, Renovate/Add to B.T. / West Dover Elementary (67/33)	95-13-00	00057BBR	150,000	-	-	-	-	-	-	-	150,000
Capital, Renovate, William Henry Middle (67/33)	95-13-00	00064BRR	-	-	200,000	-	-	-	-	-	200,000
Capital, Renovate, Central Middle (67/33)	95-13-00	02033BRR	-	-	150,000	-	-	-	-	-	150,000
Cape Henlopen, Construct two 500 Pupil Middle Schools (60/40)	95-17-00	01049BBC	5,859,300	-	-	-	-	-	-	-	5,859,300
Cape Henlopen, Supplemental Funding (60/40)	95-17-00	03016BBC	1,896,900	-	-	-	-	-	-	-	1,896,900
Smyrna, Renovate District Office (80/20)	95-24-00	03017BBR	134,100	-	-	-	-	-	-	-	134,100
Smyrna, Renovate John Bassett Moore Middle (80/20)	95-24-00	01053BBR	6,250,300	-	-	-	-	-	-	-	6,250,300
Smyrna, Renovate Smyrna High (80/20)	95-24-00	01056BBR	3,421,000	-	-	-	-	-	-	-	3,421,000
Appoquinimink, Construct 720 pupil Elementary (71/29)	95-29-00	01058BBC	3,769,000	-	-	-	-	-	-	-	3,769,000
Appoquinimink, Supplemental Funding (71/29)	95-29-00	03018BBC	1,069,600	-	-	-	-	-	-	-	1,069,600
Appoquinimink, 400 Pupil addition to Middletown High (71/29)	95-29-00	01059BBC	1,763,300	-	-	-	-	-	-	-	1,763,300
Brandywine, Renovate Claymont Education Center (60/40)	95-31-00	02040BBR	3,735,500	-	-	-	-	-	-	-	3,735,500
Brandywine, Renovate Harlan Elementary (60/40)	95-31-00	02036BBR	7,320,000	-	-	-	-	-	-	-	7,320,000
Brandywine, Renovate Mt. Pleasant Elementary (60/40)	95-31-00	02037BBR	6,869,200	-	-	-	-	-	-	-	6,869,200
Brandywine, Renovate Concord High (60/40)	95-31-00	02038BBR	2,000,000	-	-	-	-	-	-	-	2,000,000
Brandywine, Renovate Forwood Elementary (60/40)	95-31-00	03019BBR	300,000	-	-	-	-	-	-	-	300,000
Brandywine, Renovate Lombardy Elementary (60/40)	95-31-00	03020BBR	300,000	-	-	-	-	-	-	-	300,000
Red Clay, Renovate Highlands Elementary (60/40)	95-32-00	03021BBR	1,742,800	-	-	-	-	-	-	-	1,742,800
Red Clay, Land Purchase New Hockessin Elementary(60/40)	95-32-00	03022BBL	1,545,000	-	-	-	-	-	-	-	1,545,000

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR-IZATIONS	DEAUTHOR-IZATION OF STATE GUAR-ANTEED BONDS	REVERSION REAUTHORIZA-TION AND REPROGRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
EDUCATION (continued)											
Christina, Renovate Albert H. Jones Elementary (60/40)	95-33-00	03023BRR	-	-	283,600	-	-	-	-	-	283,600
Christina, Renovate Brookside Elementary (60/40)	95-33-00	03024BBR	284,800	-	-	-	-	-	-	-	284,800
Christina, Renovate West Park Place Elementary (60/40)	95-33-00	03025BBR	308,600	-	-	-	-	-	-	-	308,600
Christina, Renovate Kirk Middle (60/40)	95-33-00	03026BBR	263,700	-	-	-	-	-	-	-	263,700
Christina, Renovate Pulaski Elementary (60/40)	95-33-00	03027BBR	165,200	-	-	-	-	-	-	-	165,200
Christina, Renovate Elbert Palmer Elementary (60/40)	95-33-00	03028BBR	95,200	-	-	-	-	-	-	-	95,200
Christina, Construct New 840 Pupil Elementary - A (60/40)	95-33-00	03029BBR	664,400	-	-	-	-	-	-	-	664,400
Christina, Land for New 840 Pupil Elementary - A (60/40)	95-33-00	03030BBL	556,200	-	-	-	-	-	-	-	556,200
Christina, Land for New 1000 Pupil Middle (60/40)	95-33-00	03031BBL	865,200	-	-	-	-	-	-	-	865,200
Christina, Statewide Autistic Program Expansion (100% State)	95-33-00	03032BBC	2,500,000	-	-	-	-	-	-	-	2,500,000
Colonial, Renovate Calvin R. McCullough Elementary (65/35)	95-34-00	01045BBR	1,000,000	-	-	-	-	-	-	-	1,000,000
Colonial, Renovate Carrie Downie Elementary (65/35)	95-34-00	03033BBR	2,400,000	-	-	-	-	-	-	-	2,400,000
Colonial, Renovate New Castle Middle (65/35)	95-34-00	03034BBR	3,617,300	-	-	-	-	-	-	-	3,617,300
Colonial, Renovate Wilmington Manor Elementary (65/35)	95-34-00	03035BBR	600,000	-	-	-	-	-	-	-	600,000
Colonial, Renovate Gunning Bedford Middle (65/35)	95-34-00	01046BBR	2,188,000	-	-	-	-	-	-	-	2,188,000
Colonial, Renovate John G. Leach School (100% State)	95-34-00	02034BBR	1,500,000	-	-	-	-	-	-	-	1,500,000
Colonial, Renovate William Penn High (65/35)	95-34-00	01047BBR	4,940,200	-	-	-	-	-	-	-	4,940,200
Woodbridge, New Agricultural Building (71/29)	95-35-00	03036BBC	532,500	-	-	-	-	-	-	-	532,500
Woodbridge, Four Grade Addition (71/29)	95-35-00	03037BBC	6,134,200	-	-	-	-	-	-	-	6,134,200
Indian River, Construct 1000 Pupil High, land (south) (60/40)	95-36-00	01064BBC	5,079,100	-	-	-	-	-	-	-	5,079,100
Indian River, Construct 1500 Pupil High (north) (60/40)	95-36-00	01065BBC	6,974,000	-	-	-	-	-	-	-	6,974,000
Indian River, Renovate Frankford Elementary (60/40)	95-36-00	03038BBR	960,200	-	-	-	-	-	-	-	960,200
Indian River, Renovate Phillip C. Showell Elementary (60/40)	95-36-00	01067BRR	-	-	500	-	-	-	-	-	500
Indian River, Renovate Education Complex (60/40)	95-36-00	03039BBR	1,016,700	-	-	-	-	-	-	-	1,016,700
New Castle County Vo-Tech, Construct 1000 Pupil High (60/40)	95-38-00	01048BBC	10,800,000	-	-	-	-	-	-	-	10,800,000
New Castle County Vo-Tech, Marshallton Cafeteria (100% State)	95-38-00	03040BBR	60,000	-	40,000	-	-	-	-	-	100,000
		03026BRR									
State Consortium for Tech Prep Programs (100% State)	95-39-00	99088BRO	-	-	150,000	-	-	-	-	-	150,000
Christina Autistic School (100% State)	95-60-00	99090BBC	150,000	-	-	-	-	-	-	-	150,000
Subtotal:			\$ 115,825,700	\$ -	\$ 824,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 116,649,800

SECTION 1 ADDENDUM
FISCAL YEAR 2003 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR- IZATIONS	DEAUTHOR- IZATION OF STATE GUAR- ANTEED BONDS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
TWENTY-FIRST CENTURY FUND PROJECTS											
Drinking Water State Revolving Fund	25-01-01		\$ 1,750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,750,000
Delaware Water Pollution Control Revolving Fund	25-01-01		3,300,000	-	-	-	-	-	-	-	3,300,000
Community Redevelopment	25-01-01		-	-	-	-	-	-	-	1,005,000	1,005,000
Resource, Conservation and Development	25-01-01		3,605,000	-	-	-	-	-	-	895,000	4,500,000
Farmland Preservation	25-01-01		4,500,000	-	-	-	-	-	-	500,000	5,000,000
			\$ 13,155,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,400,000	\$ 15,555,000
GRAND TOTAL:			\$ 158,640,000	\$ 170,000	\$ 1,716,500	\$ 200,000	\$ 9,606,000	\$ 215,136,900	\$ 19,307,300	\$ 2,400,000	\$ 407,176,700

1 Section 2. Deauthorization of State Guaranteed Bonds.

2 (a) Amend Section 5054(d)(2) 29 Del. C. § 5054 (d) (2), as amended, by striking the number
3 "\$4,799,015" wherever it appears in said Section and inserting in lieu thereof the number "\$4,629,015."

4 (b) Nothing in this Act shall reduce the amount of bonds authorized to be issued by The
5 Delaware Economic Development Authority, or any successor authority, to which may be pledged the
6 full faith and credit of the state below the amount of such bonds issued and unpaid on the effective date
7 of this Act. The provisions of 63 Del. Laws, C. 387 § 11 shall apply in this regard.

8 Section 3. Authorization of Twenty-Year Bonds. The state hereby authorizes the issuance of
9 bonds, to which the state shall pledge its full faith and credit, such bonds to be issued in such principal
10 amount as necessary to provide proceeds to the state in the amount of \$118,410,000 and in the amount of
11 \$ 61,597,100 local share of school bonds. Bonds authorized to be used by this Section shall mature not
12 later than 20 years from their date of issuance. The proceeds of such bonds, except for local share of
13 school bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum
14 of this Act and summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
16 Twenty-First Century Fund Projects	\$ 2,414,300
17 Department of Education	115,825,700

<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
20 Architectural Barrier Removal	\$ 159,500	\$ 106,300	\$ 265,800
21 Caesar Rodney, Renovate Caesar Rodney 22 High (80/20)	8,741,600	2,185,400	10,927,000
23 Caesar Rodney, Renovate Star Hill 24 Elementary (80/20)	743,100	1,060,700	1,803,800
25 Caesar Rodney, Renovate Charlton School 26 (100%)	4,400,000	-	4,400,000

1	Capital, Renovate/Add to B.T./West Dover			
2	Elementary (67/33)	150,000	-	150,000
3	Christina, Statewide Autistic Program			
4	Expansion (100%)	2,500,000	-	2,500,000
5	Christina, Construct New Autistic Home (100%)	150,000	-	150,000
6	Christina, Renovate Brookside Elementary (60/40)	284,800	189,900	474,700
7	Christina, Renovate West Park Elementary (60/40)	308,600	205,700	514,300
8	Christina, Renovate Kirk Middle (60/40)	263,700	175,800	439,500
9	Christina, Renovate Pulaski Elementary (60/40)	165,200	110,100	275,300
10	Christina, Renovate Elbert Palmer Elementary (60/40)	95,200	63,500	158,700
11	Christina, Construct New 840 Pupil Elementary (60/40)	664,400	442,900	1,107,300
12	Christina, Land for New 840 Pupil ES – A (60/40)	556,200	370,800	927,000
13	Christina, Land for New 800 Pupil Middle (60/40)	865,200	576,800	1,442,000
14	Christina, Portable Classrooms (100 Local)	-	1,114,000	1,114,000
15	Red Clay, Renovate Highlands Elementary (60/40)	1,742,800	1,161,800	2,904,600
16	Red Clay, Land for New Hockessin Elementary (60/40)	1,545,000	1,030,000	2,575,000
17	Colonial, Renovate Calvin R. McCullough			
18	Elementary (65/35)	1,000,000	-	1,000,000
19	Colonial, Renovate Carrie Downie			
20	Elementary (65/35)	2,400,000	1,557,800	3,957,800
21	Colonial, Renovate New Castle Middle (65/35)	3,617,300	1,947,700	5,565,000
22	Colonial, Renovate Wilmington Manor			
23	Elementary (65/35)	600,000	1,438,100	2,038,100
24	Colonial, Renovate Gunning Bedford			
25	Middle (65/35)	2,188,000	639,700	2,827,700

1	Colonial, Renovate John G. Leach			
2	School (100% state)	1,500,000	-	1,500,000
3	Colonial, Renovate William Penn High (65/35)	4,940,200	2,660,200	7,600,400
4	New Castle Co. Vo-Tech, Construct 1000			
5	Pupil High (60/40)	10,800,000	7,200,000	18,000,000
6	New Castle County Vo-Tech,			
7	Marshallton, Cafeteria (100% state)	60,000	-	60,000
8	Cape Henlopen, Construct two 500 Pupil			
9	Middle (60/40)	5,859,300	3,906,200	9,765,500
10	Cape Henlopen, Supplemental Funding (60/40)	1,896,900	1,264,600	3,161,500
11	Smyrna, Renovate District Office (80/20)	134,100	33,500	167,600
12	Smyrna, Renovate John Bassett Moore			
13	Middle (80/20)	6,250,300	1,562,600	7,812,900
14	Smyrna, Renovate Smyrna High (80/20)	3,421,000	855,300	4,276,300
15	Indian River, Construct 1000 Pupil High,			
16	and land (south) (60/40)	5,079,100	3,386,000	8,465,100
17	Indian River, Construct 1500 Pupil High			
18	(north) (60/40)	6,974,000	4,649,200	11,623,200
19	Indian River, Renovate Frankford			
20	Elementary (60/40)	960,200	640,200	1,600,400
21	Indian River, Renovate Phillip C. Showell			
22	Elementary (60/40)		400	400
23	Indian River, Renovate East Millsboro			
24	Elementary (60/40)	1,016,700	677,800	1,694,500
25	Appoquinimink, Construct 720 Pupil			
26	Elementary (71/29)	3,769,000	2,152,100	5,921,100
27	Appoquinimink, Supplemental Funding (71/29)	1,069,600	436,900	1,506,500

1	Appoquinimink, 400 Pupil addition to			
2	Middletown High (71/29)	1,763,300	720,200	2,483,500
3	Brandywine, Renovate Claymont			
4	Education Center (60/40)	3,735,500	2,490,300	6,225,800
5	Brandywine, Renovate Harlan Elementary (60/40)	7,320,000	4,880,000	12,200,000
6	Brandywine, Renovate Mt. Pleasant			
7	Elementary (60/40)	6,869,200	4,579,400	11,448,600
8	Brandywine, Renovate Concord High (60/40)	2,000,000	1,333,300	3,333,300
9	Brandywine, Renovate Forwood Elementary (60/40)	300,000	200,000	500,000
10	Brandywine, Renovate Lombardy Elementary (60/40)	300,000	200,000	500,000
11	Woodbridge, New Agricultural Building (71/29)	532,500	217,500	750,000
12	Woodbridge, Four Grade Addition (71/29)	6,134,200	3,159,000	9,293,200
13	Seaford, Renovate Douglas High (100% local)	-	15,800	15,800
14	Subtotal	<u>\$115,825,700</u>	<u>\$61,597,500</u>	<u>\$177,423,200</u>
15			TOTAL	<u>\$ 118,410,000</u>

16 Section 4. Courthouse Proceeds. Notwithstanding any State laws to the contrary, funds
17 received from the sale of the Daniel L. Herrmann Courthouse shall be deposited into the General Fund.

18 Section 5. Reauthorization (a) Amend 70 Del. Laws, c. 564, § 2 and 71 Del. Laws, c. 356, § 2
19 by deleting the second sentences from said sections in their entirety.

20 (b) The state hereby authorizes the authorization of previously deauthorized general obligation
21 authority in the sum of \$40,400,000. To these reauthorized bonds the state shall pledge its full faith and
22 credit, such bonds to be issued in such principal amount as necessary to provide proceeds to the state in
23 the amount of \$40,400,000. Bonds authorized by this Section shall mature not later than 20 years from
24 their date of issuance. The proceeds of such bonds are hereby appropriated for a portion of the purposes
25 set forth in the Section 1 Addendum of this Act and summarized as follows:

1	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
2	Office of the Budget	\$ 6,965,000
3	Delaware Economic Development Office	3,200,000
4	Department of State	1,951,200
5	Department of Administrative Services	4,248,100
6	Department of Natural Resources and Environmental Control	3,445,000
7	University of Delaware	3,500,000
8	Delaware State University	3,500,000
9	Delaware Technical and Community College	2,850,000
10	Twenty First Century Fund Projects	<u>10,740,700</u>
11	TOTAL	<u>\$40,400,000</u>

12 Section 6. Transfers to the State Treasurer's Bond Reversion Account.

13		Authorized Vol & Ch	Project	
14	<u>Project</u>	<u>Laws of DE</u>	<u>Appropriation Code</u>	<u>Amount</u>
15	MCI Equip	70/210	30-05-10-6614	\$1,936.44
16	Renovation and Equip	70/210	30-05-10-6617	4,921.38
17	JP Court 16	70/210	30-05-10-6618	4,309.16
18	Enh Vault	70/210	30-05-10-6620	41,913.66
19	Redden MCI	70/210	30-05-10-6632	400.00
20	Carvel	70/473	30-05-10-6713	1,321.10
21	Troop 2	70/473	30-05-10-6722	72.36
22	NCC Fire Office	70/473	30-05-10-6726	1,686.43
23	Fire Center	70/473	30-05-10-6727	<u>1,730.77</u>
24			TOTAL	<u>\$58,291.30</u>

1 Section 7. Transfers to the State Treasurer’s School Bond Reversion Account.

2		Authorized Vol & Ch	Project	
3	<u>Project</u>	<u>Laws of DE</u>	<u>Appropriation Code</u>	<u>Amount</u>
4	Brandywine	70/210	95-31-00-6614	\$ 3,000.00
5	Brandywood	70/210	95-31-00-6617	2,566.20
6	Shortlidge	70/210	95-32-00-6414	401.47
7	New Elem	67/285	95-33-00-6113	286,644.49
8			TOTAL	<u>\$292,612.16</u>

9

10 Section 8. Transfers from the State Treasurer’s School Bond Reversion Account.

11 Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds become
 12 available, the sum of \$324,100 from the State Treasurer’s School Bond Reversion Account (94-12-05-
 13 03-8102) to the following department in the following amount for the purpose set forth in the Section 1
 14 Addendum to this Act:

15	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
16	Department of Education (Marshallton Cafeteria)	\$ 40,000
17	Department of Education (Christina, Renovate Albert H. Jones Elementary)	283,600
18	Department of Education (Indian River, Renovate Phillip C. Showell Elementary)	<u>500</u>
19		TOTAL <u>\$324,100</u>

20 Section 9. Appropriation of First State Improvement Fund. The state hereby authorizes the
 21 appropriation of \$25,000 from the First State Improvement Fund (86-12-05-03-9600) for the purposes
 22 set forth in the Section 1 Addendum of this Act.

23	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
24	Department of State (Wilmington Institute Library, Woodlawn Branch)	\$ <u>25,000</u>
25		TOTAL <u>\$ 25,000</u>

1 Section 10. Deposit of Special Funds. The sum of \$3,000,000 from the Bond Sale Interest
2 accounts, held by the State Treasurer (12-05-03-8570, 8571, 8599) shall be deposited to the General
3 Fund.

4 Section 11. Abandoned Property. For Fiscal Year 2003, 29 Del. C., §6102 (s) shall be null and
5 void.

6 Section 12. Continuing Appropriations. For the fiscal year ending June 30, 2002, any sums in
7 the following accounts shall remain as continuing appropriations and shall not be subject to a reversion
8 until June 30, 2003.

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Account Codes</u>	<u>Remarks</u>
11	1999	10-02-01-0808	Kent Radios
12	2000	10-02-01-0811	EMS
13	2000	10-02-01-0813	Local Police
14	2000	10-02-01-0814	Tech
15	1992	10-03-03-0182	Dover Civic
16	1999	10-03-03-0805	Dov Ctr
17	2000	10-03-03-0814	AZ
18	1990	10-03-03-9643	Civic Center
19	1999	10-03-03-0811	Dov Civ Cnt
20	1999	10-09-30-0806	WIN2K
21	1995	20-01-01-0182	Mills – Histo
22	2000	20-06-04-0801	Abbots MI
23	1998	20-08-01-0801	So. Coastal
24	1995	20-08-01-0182	Wil Library
25	1997	20-08-01-0800	Newark Land
26	1999	20-08-01-0802	Gtown Lib
27	1999	20-08-01-0805	Concord Lib
28	2000	20-08-01-0806	Wil Inst
29	1999	20-08-01-0807	NCC North Regional
30	2000	20-08-01-0808	Newark Lib
31	1996	20-08-01-6616	N. Wilm
32	1997	20-08-01-6712	NCCo Library
33	2000	20-08-01-8594	Georgetown Lib
34	2000	20-08-01-8595	Dover Lib
35	2000	20-08-01-8596	Milton Lib
36	2000	25-01-01-0897	ASAP
37	1996	30-05-10-0192	Woodshavenk
38	2000	30-05-10-0805	Jud MCI
39	1998	30-05-10-0806	JP CT 7/16
40	2000	30-05-10-0808	MCI St
41	1998	30-05-10-0809	Dayett Mills
42	2000	30-05-10-0804	MCI DAS
43	2000	30-05-10-0805	Jud MCI
44	1999	30-05-10-0806	JP 7/16
45	2000	30-05-10-0808	State MCI

1	1999	30-05-10-0811	MCI/EQ DHSS
2	2000	30-05-10-0819	Correct MCI
3	1998	30-05-10-0820	DEMA EOC
4	1999	30-05-10-0821	MCI-DPS
5	2000	30-05-10-0821	PS MCI
6	2000	30-05-10-0835	UST
7	1999	30-05-10-0836	Ren Carvel
8	1999	30-05-10-0837	JP 5/6
9	1999	30-05-10-0840	Sussex Vet
10	1999	30-05-10-0841	Campus Ren
11	2000	30-05-10-0841	Campus Ren
12	1999	30-05-10-0845	BWCI Nursery
13	2000	30-05-10-0848	Bacon Site
14	2000	30-05-10-0851	Stockley
15	2000	30-05-10-0854	Capacity Plan
16	2000	30-05-10-0859	Fence Light
17	2000	30-05-10-0861	Smyrna Const
18	2000	30-05-10-0862	KC Crthse
19	2000	30-05-10-0863	Arch Barr
20	1996	30-05-10-6620	Enh Vault
21	1996	30-05-10-6622	Camp Renew
22	1996	30-05-10-6627	Expn/Const
23	1996	30-05-10-6627	Expn/Const
24	1997	30-05-10-6701	Arch Barrier
25	1997	30-05-10-6718	Prison Const
26	1997	30-05-10-6726	NCC Fire Off
27	1997	30-05-10-6727	Fire Center
28	1998	30-05-10-6801	Arch Barrier
29	1998	30-05-10-6803	CSOB Renov
30	1998	30-05-10-6807	Campus Renew
31	1998	30-05-10-6809	DEMA
32	1998	30-05-10-6812	Prison Const
33	1999	30-05-10-6912	Suss Crthse
34	1999	30-05-10-6913	NCC Crthse
35	1999	30-05-10-6914	Comegys
36	1999	30-05-10-6915	Prison Exp
37	1999	30-05-10-6916	VOP CTRS
38	1999	30-05-10-6917	Troop 2/DMV
39	2000	30-05-10-7013	NCC Crthse
40	2000	30-05-10-7015	Troop 2
41	2000	35-01-20-0810	Flouride
42	2000	40-05-01-0802	Newport
43	1995	40-06-02-0184	Brandy-Aqua
44	1999	40-06-02-0803	IR Marina
45	1999	40-06-02-0804	Park Rehab
46	2000	40-06-02-0804	Park Rehab
47	1999	40-06-02-0805	De Sea WW
48	2000	40-06-02-0805	De Sea WW
49	1999	40-06-02-0806	UST
50	2000	40-06-02-0812	Morris Barn
51	1999	40-06-02-0811	De Aquat Cntr
52	2000	40-06-02-0811	Ft Del/Wilm
53	2000	40-06-02-0813	Cape Hen
54	1994	40-06-02-6413	Brandywine Aquatic Cntr

1	1996	40-06-02-6613	Aquatic Cntr
2	1997	40-06-02-6713	Aquatic Center
3	1991	40-06-04-6212	Aquatic Center
4	1992	40-06-04-6212	Park Dev
5	2000	40-07-02-0803	Tax Ditch
6	1993	40-07-02-6313	Resrc C&D
7	1997	40-07-02-8001	Con &Res Dev
8	2000	40-07-03-0801	Beach Pres
9	1999	40-08-01-0800	Swr Overflow
10	1992	40-08-01-6214	Little Mill
11	2000	40-08-07-0800	Sewer Comb
12	1999	45-06-05-0899	COPS MORE
13	2000	45-06-01-0810	Vehicle Com
14	2000	75-02-01-0800	Rescue Tools
15	2000	76-01-01-0169	MCI-DNG
16	2000	76-01-01-0811	Harr Armory
17	1992	76-01-01-6213	MCI/EQUIP
18	2001	90-04-01-0804	Tech Prep
19	2000	90-04-04-0810	Renov/Eq
20	1997	90-04-04-6712	Expand Wilm
21	1998	90-04-04-6812	Wilm Exp
22	1999	90-04-04-6912	Wilm Exp
23	2000	90-04-06-0801	Poly/Terry
24	1999	95-01-01-0850	MCI Supp
25	2000	95-01-01-0850	MCI 100%
26	2000	95-01-01-0899	Pupil Ac
27	1999	95-10-00-0831	Tech/Teacher
28	2000	95-13-00-0810	BT/West
29	2000	95-13-00-0811	Com Sch
30	2000	95-13-00-0812	Cent Mid
31	2000	95-13-00-0813	Maint Bldg
32	2000	95-13-00-0814	High School
33	2000	95-13-00-0815	East Elem
34	2000	95-13-00-0816	South Rev
35	2000	95-13-00-0817	Henry Rev
36	2000	95-13-00-0818	Fairview Add
37	1999	95-13-00-0831	Tech/Teacher
38	2000	95-13-00-0819	Hartly Rev
39	1995	95-13-00-6512	Elem School
40	1997	95-13-00-6712	Dover high
41	2000	95-13-00-7010	BT West
42	2000	95-13-00-7011	Com Sch
43	2000	95-13-00-7012	Cent Mid
44	2000	95-13-00-7013	Maint Bldg
45	2000	95-13-00-7014	High School
46	2000	95-13-00-7015	East Elem
47	2000	95-13-00-7016	South Elem
48	2000	95-13-00-7017	Henry Rev
49	2000	95-13-00-7018	Fairview
50	2000	95-13-00-7019	Hartly Rev
51	2000	95-13-00-7020	Towne Point
52	2000	95-15-00-0810	720 Elem
53	2000	95-15-00-0811	Rev Chip
54	2000	95-15-00-0812	Hi Sch Rev

1	2000	95-15-00-0813	South AES
2	2000	95-15-00-0814	East ES
3	2000	95-15-00-0815	North Rev
4	1999	95-15-00-0831	Tech Teacher
5	2000	95-15-00-0850	MCI Fund
6	2000	95-15-00-7010	720 East Elem
7	2000	95-15-00-7011	Rev Chip
8	2000	95-15-00-7012	Li Sch Rev
9	2000	95-15-00-7013	South AES
10	2000	95-15-00-7014	East ES
11	2000	95-15-00-7015	North Rev
12	2000	95-16-00-0801	Tech Prep
13	2000	95-17-00-0810	Roof Renov
14	2001	95-17-00-0813	Elec 7 Sch
15	1999	95-17-00-0831	Tech/Teacher
16	2000	95-17-00-0850	MCI Fund
17	2000	95-17-00-7010	Roof Rev
18	2000	95-18-00-0811	Early Ctr
19	2000	95-18-00-0812	Hi Sch
20	2000	95-18-00-0813	Ross
21	2000	95-18-00-7010	Banneker Elem
22	2000	95-18-00-7012	Early Ctr
23	2000	95-18-00-7013	High School
24	2000	95-18-00-7014	Ross
25	2000	95-18-00-7015	Banneker Elem
26	2000	95-18-00-7016	HS Renov
27	2000	95-18-00-7017	HS Ren
28	2000	95-23-00-0812	Central Exp
29	2000	95-23-00-0811	Blades Exp
30	2000	95-23-00-0812	Central Exp
31	2000	95-23-00-0813	Douglas
32	2000	95-23-00-0814	HS Expand
33	2000	95-23-00-0815	Mid Sch Ren
34	2000	95-23-00-0816	West Elem
35	1999	95-23-00-0831	Tech/Teacher
36	2000	95-23-00-7010	Blades E.S.
37	2000	95-23-00-7011	Central Elem
38	2000	95-23-00-7012	Douglas Elem
39	2000	95-23-00-7013	Seaford H.S
40	2000	95-23-00-7014	Seaford Mid
41	2000	95-23-00-7015	West Elem
42	2000	95-29-00-0810	New Elem
43	1999	95-29-00-0811	Midltwn Mid
44	2000	95-29-00-0811	Middle Renv
45	1999	95-29-00-0812	Redding Mid
46	2000	95-29-00-0812	Redding Ren
47	1999	95-29-00-0813	Slvrlake El
48	2000	95-29-00-0813	Silver Renv
49	2000	95-29-00-0814	Townsend
50	1999	95-29-00-0815	Cedal Ln El
51	2000	95-29-00-0816	Critical AC
52	1999	95-29-00-0831	Tech/Teacher
53	1999	95-29-00-0850	MCI Fund
54	2000	95-29-00-0850	MCI Fund

1	1999	95-29-00-6914	Redding Mid
2	1999	95-29-00-6915	Slvrelake El
3	1999	95-29-00-6916	Townsend El
4	1999	95-29-00-6917	Cedar Lane El
5	2000	95-29-00-7010	New Elem
6	2000	95-29-00-7011	Middle Rev
7	2000	95-29-00-7012	Redding
8	2000	95-29-00-7013	Townsend
9	2000	95-29-00-7014	Silver Rev
10	1999	95-31-00-0801	Tech Prep
11	2000	95-31-00-0801	Tech Prep
12	1999	95-31-00-0810	PS Cupola
13	2000	95-31-00-0850	MCI Fund
14	1999	95-31-00-6912	PS Cupola
15	1999	95-31-00-6913	Claymont El
16	1999	95-31-00-6914	Springer La
17	1999	95-31-00-6915	Harlan Elem
18	2000	95-32-00-0810	McKean
19	2000	95-32-00-0811	Ren Balz
20	2000	95-32-00-0812	Conrad
21	2000	95-32-00-0813	Dickenson
22	2000	95-32-00-0814	Forest Oak
23	2000	95-32-00-0815	DuPont Hs
24	2000	95-32-00-0816	Highlands
25	2000	95-32-00-0817	Linden/Hill
26	2000	95-32-00-0818	Mockbrook
27	2000	95-32-00-0820	Rich/ILC
28	2000	95-32-00-0821	Shortlidge
29	2000	95-32-00-0822	Skyline
30	2000	95-32-00-0824	Telegraph
31	2000	95-32-00-0825	Worner
32	2000	95-32-00-0826	Wilm Hs
33	2000	95-32-00-0827	AI Dupont HS
34	2000	95-32-00-0828	Richey
35	2000	95-32-00-0829	Lewis RF/OT
36	1999	95-32-00-0830	Tech Ed EQ
37	1999	95-32-00-0831	Tech/Teacher
38	2000	95-32-00-0850	MCI Fund
39	1999	95-32-00-6932	Tech Ed
40	2000	95-32-00-7010	McKean
41	2000	95-32-00-7011	Baltz
42	2000	95-32-00-7012	Conrad
43	2000	95-32-00-7013	Dickinson
44	2000	95-32-00-7014	Forest Oak
45	2000	95-32-00-7015	DuPont Ms
46	2000	95-32-00-7016	Highlands
47	2000	95-32-00-7017	Linden Hill
48	2000	95-32-00-7018	Marbrook
49	2000	95-32-00-7020	Rich/ILC
50	2000	95-32-00-7021	Shortlidge
51	2000	95-32-00-7022	Skyline
52	2000	95-32-00-7024	Telegraph
53	2000	95-32-00-7025	Warner
54	2000	95-32-00-7026	Wilm Hs

1	2000	95-32-00-7027	AI Hs
2	2000	95-32-00-7028	Richey
3	2000	95-32-00-7029	Lewis
4	2000	95-32-00-7030	Brandy SPS
5	1998	95-33-00-0801	Douglass
6	2000	95-33-00-0801	Tech Prep
7	1997	95-33-00-0802	Christina
8	2000	95-33-00-0850	MCI Fund
9	1997	95-33-00-6793	Arch Barrier
10	1998	95-33-00-6812	Stubbs
11	1998	95-33-00-6813	Bayard
12	1998	95-33-00-6814	Pyle
13	1998	95-33-00-6815	Douglass
14	1999	95-36-00-0831	Tech/Teacher
15	1999	95-38-00-0810	Marsh Win
16	1999	95-38-00-0813	Pln/Lnd Acq
17	1999	95-38-00-0812	Delcastle A/
18	2000	95-38-00-0172	MCI
19	1999	95-38-00-0850	MCI Fund
20	2000	95-38-00-0850	MCI Fund
21	1999	95-38-00-6912	Marsh Win R
22	1999	95-38-00-6913	Delcastle A/C
23	1999	95-38-00-6914	Pln/Lnd Acq
24	2000	95-39-00-0801	Tech Prep
25	1999	95-39-00-0831	Tech/Teacher
26	2000	95-40-00-7012	Tech HS
27	2000	95-51-00-0800	Sterck Renv
28	2000	95-51-00-0850	MCI Fund
29	2000	95-52-00-0850	MCI Fund
30	1999	95-60-00-0801	Autistic R

31 Section 13. Twenty-First Century Fund Appropriations. The General Assembly hereby authorizes
32 the amount of \$2,400,000 to be paid out of Twenty-First Century Fund interest. It is the intent of the
33 General Assembly that the appropriation account shall be administered through the Department of
34 Finance. No funds shall be used for agency overhead or personnel-related costs. Any unused
35 authorization remaining in the Project Accounts on June 30, 2005 shall revert to the Twenty-First
36 Century Account in the Department of Finance.

37	<u>Purpose</u>	<u>Amount</u>
38	Department of Finance - Community Redevelopment	\$1,005,000
39	Department of Finance - Farmland Preservation	500,000
40	Department of Finance - Resource, Conservation & Development	<u>895,000</u>
41	TOTAL	<u>\$2,400,000</u>

1 Section 14. Appropriation of General Funds. It is the intent of the General Assembly that
 2 \$19,307,300 be appropriated to the following departments, agencies and instrumentalities of the State and
 3 in the following amounts for the purposes set forth in the Section 1 Addendum of this Act. Any funds
 4 remaining unexpended or unencumbered by June 30, 2005, shall revert to the General Fund of the State of
 5 Delaware.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Legislature	\$ 15,000
Office of the Budget	75,000
Delaware Economic Development Office	12,635,000
Department of State	150,000
Department of Administrative Services	5,089,300
Department of Natural Resources and Environmental Control	80,000
Department of Public Safety	583,000
Fire Prevention Commission	30,000
Delaware Technical and Community College	<u>650,000</u>
TOTAL	\$19,307,300

17
18
19
20 Section 15. Allocation of Stripper Well Funds. The state hereby authorizes the Department of
 21 Administrative Services to allocate \$200,000 from the proceeds of the Stripper Well Court Case
 22 Settlement for the following project:

<u>Department, Agency or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services (Minor Capital Improvement and Equipment)	\$200,000

23
24
25
26
27
28 Section 16. Reprogramming. The sum of \$500,000 is hereby deauthorized from the
 29 appropriation Neighborhood Schools Planning (02-95-01-01-8021) authorized in 73 Del. Laws, c. 95.
 30 These funds are hereby reauthorized for the following purposes as listed in the Section 1 Addendum to
 31 this Act:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Education (Capital, Renovate William Henry Middle 67/33)	\$200,000

1	(Capital, Renovate Central Middle 67/33)	150,000
2	(State Consortium for Tech Prep Programs 100% State)	<u>150,000</u>
3	TOTAL	\$500,000

4 Section 17. General Fund Reprogramming. (a) Notwithstanding the provisions of any other
5 state law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of
6 the balances below from the following General Fund projects and reauthorizes the funds to the
7 departments listed in subsection (b) of this Section, according to the purposes in the Section 1 Addendum
8 to this Act.

9	<u>Department, Agency, or Instrumentality</u>	<u>Vol. & Ch.</u>	<u>Appropriation Code</u>	<u>Amount</u>
10	Office of the Budget	72/258	10-02-01-0812	\$ 97.08
11	Office of the Budget	71/378	10-02-01-0985	595.85
12	Delaware Economic Development			
13	Office	72/258	10-03-03-0814	580,000.00
14	Office of the State Treasurer	73/95	12-05-03-0888	43,273.69
15	Department of State	71/378	20-03-01-0802	2,576.00
16	Department of State	71/378	20-06-04-0806	361.50
17	Department of Administrative Services	70/473	30-05-10-0800	1,142.82
18	Department of Administrative Services	71/150	30-05-10-0817	621.99
19	Department of Administrative Services	71/378	30-05-10-0842	13,578.94
20	Department of Administrative Services	71/378	30-05-10-0847	1,575.06
21	Department of Administrative Services	71/378	30-05-10-0851	755.35
22	Department of Administrative Services	72/258	30-05-10-0853	897.60
23	Department of Administrative Services	72/258	30-05-10-0855	13,199.68
24	Department of Administrative Services	72/258	30-05-10-0864	5,064.39
25	Department of Public Safety	72/489	45-01-01-0810	205,000.00
26	Department of Education	72/258	95-17-00-0801	895.31
27	Department of Education	72/258	95-17-00-0811	18,548.39
28	Department of Education	70/473	95-33-00-0802	<u>4,086.90</u>
29			TOTAL	\$892,270.55

30	<u>(b) Department, Agency, or Instrumentality</u>	<u>Amount</u>
31	Department of State	\$ 67,400
32	Department of Natural Resources and Environmental Control	<u>800,000</u>
33	TOTAL	\$867,400

34 Section 18. Delaware v. New York Supreme Court Decision. The Secretary of Finance shall be
35 authorized to make payments to intervenors pursuant to the settlement agreement in the Delaware v.

1 New York Supreme Court decision in the amount of \$3,300,000 due January 31, 2003, and in the
2 amount of \$17,700,000 due January 31, 2004.

3 Section 19. Educational Technology. Without approval of the Co-Chairs of the Joint Legislative
4 Committee on the Capital Improvement Program, the Secretary of Finance, and the Budget Director, no
5 expenditures other than for completing a capital program of creating an Educational Technology wiring
6 network encompassing every public school in the State shall be made by the Delaware Center for
7 Educational Technology from the Educational Technology Account or from any other sources of funding
8 including, but not limited to, governmental or private grant funds, until the Strategic Plan required under
9 the provisions of 29 Del. C. §6102A(j)(4) shall have been approved by the Joint Legislative Committee
10 on the Capital Improvement Program, provided, however, that nothing contained herein shall preclude the
11 expenditure of grant funds specifically targeted or restricted by the granting agency for the purposes of
12 providing hardware or software in the classroom, distance learning programs, staff development programs
13 related to technology implementation, or school to home networking connections.

14 Section 20. Delaware Center for Educational Technology. The Delaware Center for Educational
15 Technology is prohibited from establishing or maintaining State supported e-mail addresses for public
16 school students except as may be deemed necessary by the local school district. This Section shall not
17 preclude local school districts from providing student access to e-mail with local discretionary funds
18 either through their own e-mail server or through a contract with the Office of Telecommunications
19 Management (OTM).

20 Section 21. Resource, Conservation and Development Transfers - Project Funds Transfer from
21 Prior Fiscal Years to Fiscal Year 2003. Within the same county, any Twenty-First Century funds or
22 match remaining from completed projects as authorized as part of the Twenty-First Century Resource,
23 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for
24 RCD projects in the Fiscal Year 2003 list of projects approved as part of the Fiscal Year 2003 Capital
25 Improvement Act.

1 Section 22. Community Redevelopment Fund Match. Notwithstanding the provisions of 29 Del.
2 C. §6102A(i)(3), the following Community Redevelopment Fund awards shall not require a local match:

3 <u>Project</u>	<u>Year of Grant Award</u>
4 Delaware Aerospace Education Foundation	F.Y. 2000, 2001 & 2003
5 Construct Education Center	
6 Seaford Revival Center Mission	F.Y. 2001 & 2003
7 Seaford Mission Redevelopment Phase III	
8 City of Wilmington	F.Y. 2003
9 Fire Department Pumper Truck	
10 City of Wilmington	F.Y. 2003
11 Police Department Kevlar Vests	

12 Section 23. For Fiscal Year 2003, First State Preservation Revolving Fund, Inc. may continue to
13 expend for administrative expenses the interest generated by the Community Redevelopment Fund
14 appropriations of \$250,000 in each of Fiscal Years 1999 and 2000.

15 Section 24. Bond Bill Reporting Requirements. All state agencies, public school districts and
16 other entities receiving funds from the Capital Improvements Act shall submit a quarterly expenditure
17 status report to the Budget Director and the Controller General on all incomplete projects that are wholly
18 or partially funded with state and/or local funds, including bond funds. The format and information
19 required in these quarterly reports shall include, but not be limited to, expenditures of both bond and cash
20 funds. The report format will be developed by the State Budget Office and include information as needed
21 by the Department of Finance, Treasurer's Office and State Budget Office to anticipate cash and bond
22 requirements for the upcoming fiscal year.

23 All Community Redevelopment Projects which are not closed shall provide a status report as of
24 May 1, 2003.

25 Section 25. Notification. The Budget Director and Controller General shall notify affected state
26 agencies and other instrumentalities of the State as to certain relevant provisions of this Act.
27 Additionally, the Budget Director and Controller General shall notify the President Pro Tempore of the
28 Senate and the Speaker of the House as to any legislative appointments required by this Act.

1 **OFFICE OF THE BUDGET**

2 Section 26. Local Law Enforcement. 72 Del. Laws, C. 489 and 72 Del. Laws, C. 258

3 appropriated funds to the Office of the Budget for Local Law Enforcement to assist local law enforcement
4 agencies to purchase and enhance technologies that will enable them to increase their crime reporting
5 capabilities, comply with state and federal technology standards and improve inter-agency
6 communication. Local law enforcement agencies shall include counties, municipalities, towns, Delaware
7 cities and the State Office of Narcotics and Dangerous Drugs.

8 These monies will be limited to spending on hardware, software, end-user equipment and other
9 one-time expenditures designed to enhance the capabilities and effectiveness of law enforcement. The
10 purchase of 800 MHz radios with this funding is permitted. All hardware, software and end-user
11 equipment shall be compatible with the minimum standards established by the Delaware Justice
12 Information System (DELJIS) Board of Managers and any other applicable State of Delaware and federal
13 systems standards.

14 Funds shall be distributed based upon the local law enforcement agency's actual strength of full-
15 time sworn officers.

16 Applications for funding shall be submitted to the Local Law Enforcement Technology Fund
17 Committee and shall specify the purpose, the systems, the technology and the amount of funding
18 requested.

19 Final distribution of funds shall be contingent upon the approval of the Budget Director and the
20 Controller General.

21 No part of this appropriation may be used to supplant funds already committed by the law
22 enforcement agency to regular police operations, or to pay salaries or other personnel costs of police
23 officers or supporting personnel, or general operation and/or administrative expenses.

24 Local law enforcement agencies are encouraged to use these funds to leverage additional federal
25 funding for technology to support the above projects.

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 27. Delaware Strategic Fund. Of the funds appropriated to the Delaware Strategic Fund
3 in the Section 1 Addendum of this Act, up to \$500,000 may be utilized in order to provide financial
4 assistance in the form of matching grants in an amount not greater than either \$25,000 or 50 percent of
5 the total project costs for environmental assessments and remediations of sites associated with the
6 “brownfield” initiative. For purposes of this Section a “brownfield” is defined as a vacant, unoccupied,
7 or underutilized site, with respect to any portion thereof, which the owner of the site has reasonable
8 cause to believe may, as a result of any prior commercial or industrial activity by any person, have been
9 environmentally contaminated in a manner that would interfere with the intended use of such site. The
10 Delaware Economic Development Authority shall draft rules and regulations pertaining to eligibility and
11 establish criteria to administer the assistance.

12 Section 28. Composites Research. The Delaware Economic Development Office is authorized
13 to provide a match of up to \$100,000 to the University of Delaware Center for Composite Materials for
14 federal research grants received that support the development and application of composite
15 manufacturing technology for the benefit of Delaware companies. Such match shall be disbursed from
16 the Strategic Fund upon documentation of the receipt of federal funds allocated to the Center during the
17 fiscal year for these purposes and upon documentation of the relevance of these research projects to
18 Delaware industries’ needs and their participation within said projects.

19 Section 29. Delaware Industrial Park. The Delaware Economic Development Office is hereby
20 prohibited from locating any operation that involves the use of hazardous materials at the former Helix
21 Synthesis Technologies site within the Delaware Industrial Park. Hazardous materials are defined as any
22 material of a gaseous, liquid or solid form that has the potential to cause temporary or permanent harm to
23 humans or the environment.

24 Section 30. Port of Wilmington. If the Governor and the Delaware Economic Development
25 Office, at the direction of the Board of Directors of the Diamond State Port Corporation, request the

1 Delaware River and Bay Authority fund the acquisition of real property and improvements for the
2 expansion of Port of Wilmington pursuant to the Compact (17 Del. C. § 1701) and applicable statutory
3 requirements, and if any such project is undertaken and funded by the Delaware River and Bay
4 Authority, then such project is hereby authorized and approved by this Act.

5 Section 31. Riverfront Development Corporation. If the Governor and the Delaware Economic
6 Development Office, at the direction of the Board of Directors of the Riverfront Development
7 Corporation of Delaware, request the Delaware River and Bay Authority to fund the acquisition of real
8 property and improvements for economic development along or in proximity to the Brandywine and
9 Christina Rivers as recommended in the report of the Governor’s Task Force on the Future of the
10 Brandywine and Christina Rivers, A Vision for the Rivers (1994) pursuant to the Compact (17 Del. C.
11 § 1701) and applicable statutory requirements, and if any such project is undertaken and funded by the
12 Delaware River and Bay Authority after written approval by the Governor, then such project is hereby
13 authorized and approved by this Act.

14 Section 32. DRBA – Industrial Facility. For the purpose of complying with the provisions of 17
15 Del. C. §1726, requiring the Delaware River and Bay Authority to secure the approval of the General
16 Assembly by an act passed with the concurrence of three-fourths of all the members elected to each
17 House before undertaking any major project (as defined in Article II of the Delaware-New Jersey
18 Compact as set forth in 17 Del. C. §1701), the Delaware River and Bay Authority is hereby authorized
19 pursuant to the procedures set forth in the Compact and applicable statutory requirements, if requested by
20 the Governor and the Delaware Economic Development Office, to acquire the real property,
21 improvements, and related facilities of an industrial property situate at 618 Lambsons Lane, New Castle,
22 Delaware and such project shall be considered a project of the Authority as defined in Article II of the
23 Compact.

24 Section 33. Delaware River and Bay Authority Acquisition and Development. If the Governor
25 and the Delaware Department of Natural Resources and Environmental Control (“DNREC”) request that
26 the Delaware River and Bay Authority acquire and develop real property and improvements for the

1 purpose of shoreline preservation and development (including, without limitation, wetlands and open-land
2 acquisition, active recreational and park development or facilities of commerce) along or in proximity to
3 the shoreline of the Delaware Bay and inland waters, or tributaries flowing into the Delaware Bay in the
4 vicinity of Cape Henlopen State Park (excluding lands owned by the State of Delaware, east of the Lewes
5 and Rehoboth Canal) pursuant to the Compact (17 Del. C. § 1701 et. seq.) and the applicable statutory
6 requirements, and if any such project is undertaken and funded by the Delaware River and Bay Authority
7 after written approval by the Governor, then such project is hereby authorized and approved by this
8 legislation. Any conveyance of real property and improvements owned by the State of Delaware pursuant
9 to the foregoing authority shall be exempt from the provisions of 29 Del. C§ 94 and 7 Del. C. § 45, and
10 the Governor or the Secretary of DNREC is hereby authorized to execute and deliver to the Delaware
11 River and Bay Authority a deed to such real property and improvements.

12 Section 34. Biotechnology Institute. The Section 1 Addendum to this Act appropriates
13 \$2,500,000 to the Delaware Economic Development Office for the Biotechnology Institute. These funds
14 are intended to demonstrate the state’s commitment toward efforts in the life sciences through the support
15 of the Delaware Biotechnology Institute.

16 The Delaware Biotechnology Institute will serve as the catalyst in uniting state, industry and
17 higher education resources in developing new research and development oriented, commercially driven
18 partnerships in the life sciences. These partnerships will be a key element of an overall technology-based
19 economic development strategy for the State. It is expected that the development of the life sciences
20 industry in Delaware will have multiple economic development benefits including enhancing global
21 competitiveness, increasing the diversity of the state’s economic base, creating high quality jobs and
22 developing a high level of technical competence in Delaware’s workforce. In addition, this development
23 will strengthen the research and technology transfer capabilities of the University of Delaware, Delaware
24 State University and Delaware Technical and Community College.

25 The funds appropriated herein are intended to attract and support key faculty members
26 conducting research at the Institute. Funds may be targeted toward equipping and developing research

1 laboratories. The Institute is encouraged to use the state funds appropriated herein to leverage private
2 funding as appropriate. The Institute shall report to the Co-Chairs of the Joint Legislative Committee on
3 Capital Improvements by April 30, 2003, as to the expenditures of this appropriation.

4 Section 35. AstraZeneca The Department of Transportation is authorized to reimburse DEDO for
5 the cost of such lands needed solely for such transportation improvements, subject to compliance with all
6 necessary federal regulations that limit the timing of such expenditures by the Department. The per acre
7 cost to DEDO for all the lands DEDO acquires for this Project shall be used as the per acre charge to the
8 Department for such reimbursement. Other acreage acquired by DEDO for this Project needed for area-
9 wide stormwater management improvements, wetlands mitigation, and/or historic preservation regulatory
10 compliance, shall be made available to the Department without cost for its use in constructing such
11 improvements, facilities, and/or complying with historic preservation regulations, under a cost-sharing
12 arrangement agreed to by the state agencies involved in this Project.

13 Section 36. Kalmar Nyckel. Until such time as all loans receivable by the Riverfront
14 Development Corporation of Delaware from the Kalmar Nyckel Foundation are paid in full to the
15 satisfaction of the Riverfront Development Corporation, the scheduling of the Kalmar Nyckel by non-
16 State entities shall require the approval of the Riverfront Development Corporation. Further, the
17 Riverfront Development Corporation is encouraged to enter into negotiations with interested parties to
18 review the disposition of loans to the Kalmar Nyckel.

19 Section 37. Amend 70 Del. Laws, c. 210, §41 by adding after the words "Pro Tempore", the
20 words "(or the Chair/Co-Chair of the Joint Finance Committee as the Pro Tempore's designee). Further
21 amend said section by adding after the words "Speaker of the House," the words "(or the Chair/Co-Chair
22 of the Joint Finance Committee as the Speaker's designee)".

23

1 **DEPARTMENT OF STATE**

2 Section 38. North Wilmington Library. Funds authorized in the Section 1 Addendum of 70 Del.
3 Laws, c. 473 and in the Section 1 Addendum of 69 Del. Laws, c. 386 shall be used to plan and construct
4 a library within the first Senate District.

5 Section 39. Delaware River Main Channel Dredging. It is the intent of the General Assembly
6 that any future appropriation of State funds for the main channel dredging of the Delaware River shall be
7 contingent upon the following:

- 8 1) The Army Corps of Engineers provides funding to reconstruct the seawall at Pea Patch Island
9 according to plans and specifications that have been developed by the Department of Natural
10 Resources and Environmental Control.
- 11 2) A written agreement between the Army Corps of Engineers and the Department of Natural
12 Resources and Environmental Control dealing with the potential use of dredge spoils for
13 Delaware beach preservation and habitat protection.
- 14 3) The Corps of Engineers shall meet all necessary DNREC permitting requirements.

15 Section 40. Riverfront Development Corporation Promotions. The Riverfront Development
16 Corporation is prohibited from including political profiles and statements of a political or partisan nature
17 in any advertisements or literature used to promote a cultural or recreational event being sponsored by the
18 Corporation.

19 Section 41. Veterans Cemetery-NCC. The federal government will reimburse the State 100
20 percent of the funds expended for the planning and design of the expansion of the Veterans Cemetery –
21 New Castle County. The funds received as reimbursement from the federal government shall be
22 deposited into the General Fund.

23 Section 42. Veterans Cemetery. Amend Volume 73, Chapter 95, Laws of Delaware Section 71,
24 by inserting the words “up to” after the words “of this amount” and before the number “75,000” as they
25 appear on line six of the section.

1 Section 43. Museum Maintenance. The Section 1 Addendum to this Act appropriates \$100,000
2 to the Department of State for museum maintenance. It is the intent of the General Assembly that these
3 funds be retained by the Department of State, Division of Historical and Cultural Affairs for use with the
4 operations of state museums or for immediate, unscheduled repairs to those facilities under the control of
5 the Division of Historical and Cultural Affairs.

6 Section 44. The Section 1 Addendum to this Act appropriates \$356,000 to the Department of
7 Administrative Services for Minor Capital Improvements and Equipment - State. From this
8 appropriation, the following amounts shall be allocated for the following purposes:

9 Revolutionary War Monuments	\$15,000
10 Zwaanendael Museum - architectural feasibility study	\$15,000
11 Barratt's Chapel	\$20,000

12 Section 45. Amend 72 Del. Laws, c. 489 §62 by adding after the words "Rodney Family Grave
13 Site" the following:

14 "or art and paintings related to the Rodney Family".

15 Section 46. Fenwick Island Lighthouse. 72 Del. Laws, c. 258 appropriates funds to the
16 Department of State for improvements to the Fenwick Island Lighthouse. Within these funds, the
17 following project shall be completed:

18 Replacement of the Existing Fence Around the Perimeter of the Lighthouse Property. The
19 present fence around the perimeter of the lighthouse property shall be replaced by a good quality,
20 decorative fence constructed of durable materials and of a design which is both attractive and
21 serves the security needs of the site. The design, materials and construction of said fence shall be
22 approved in advance by the Board of Directors of the Friends of the Fenwick Island Lighthouse,
23 Inc.

1 **DEPARTMENT OF FINANCE**

2 Section 47. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue
3 Code of 1986, as amended, whenever the General Assembly authorizes the issuance of the state’s
4 General Obligation bonds or the Delaware Transportation Authority’s (the “Authority”) revenue bonds
5 to finance the costs of specific capital projects, it is the intent of the General Assembly that the interest
6 on such bonds shall not be included in gross income for federal income tax purposes under Section 103
7 of the Internal Revenue Code of 1986, as amended, and the United States Treasury Regulations (the
8 “Regulations”) thereunder as they may be promulgated from time to time. Pursuant to the state's budget
9 and financial policies, other than unexpected situations where surplus revenues render bond financing
10 unnecessary or undesirable, no funds other than the proceeds of such bonds, are or are reasonably
11 expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the state to pay the
12 costs of such specific capital projects. Pursuant to the Authority’s budget and financial policies, it is
13 expected that approximately 50 percent of the costs of its capital projects shall be funded on a long-term
14 basis from the proceeds of such bonds. However, after the authorization of such bonds but prior to their
15 issuance, non-bond funds from the state’s General Fund or the Authority’s Transportation Trust fund or
16 other funds may be advanced on a temporary basis to pay a portion of the costs of such specific capital
17 projects. In that event, it is expected that these non-bond funds will be reimbursed from the proceeds of
18 such bonds when they are issued. This reimbursement may cause a portion of such bonds to become
19 “reimbursement” bonds within the meaning of Section 1.150-2 of the Regulations. Under those
20 Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal
21 income tax purposes, it may be necessary to make a declaration of official intent. The Secretary of
22 Finance is hereby designated as the appropriate representative of the State and the Secretary of
23 Transportation is hereby designated as the appropriate representative of the Authority, and each is
24 authorized to declare official intent on behalf of the state or the Authority, as the case may be, within the
25 meaning of Section 1.150-2 of the Regulations, whenever and to the extent that such declaration is
26 required to preserve such tax treatment.

1 Section 48. Qualified Zone Academy Bonds. A portion of the general obligation bonds
2 authorized under this Act for a school construction project may be issued in the form of “Qualified Zone
3 Academy Bonds” within the meaning of the federal Taxpayer Relief Act of 1997 (the QZAB’s). Such
4 portion shall be equal to the maximum amount of QZAB’s which may be issued under such act.
5 Preference for use of the authorization shall be given to eligible special schools that are funded with 100
6 percent state funds and subsequently, schools authorized under this Act with the highest percentage of
7 free and reduced lunch counts for the 2001-2002 school year that elect to participate in the QZAB
8 program as determined by the Department of Education. The Secretary of Finance is hereby authorized to
9 determine the terms and conditions of the QZAB’s and the manner by which they shall be awarded to the
10 purchasers thereof, including private negotiated sale, notwithstanding anything to the contrary contained
11 in Chapter 74, Title 29 of the Delaware Code; provided that the requirements of Chapter 7422 of Title 29
12 of the Delaware Code must be observed.

1 **DEPARTMENT OF ADMINISTRATIVE SERVICES**

2 Section 49. Construction Management. Notwithstanding any other state law, the Department of
3 Administrative Services (“Department”) shall be responsible for the design and construction of all the
4 projects listed under “Department of Administrative Services” in the Section 1 Addendum of this Act.
5 For those projects that are solely for the purchase of equipment, including projects that are funded in any
6 “MCI and Equipment” line, or any “MCI” Line the department shall transfer the appropriate funding
7 necessary to purchase the equipment to the agency for which the equipment is being purchased. The
8 appropriate amount of funding shall be determined and agreed to by the Department and the agency for
9 which the equipment is being purchased by September 1, 2002. For those projects for which the
10 appropriation is passed to an entity and for which the state is not a party to the construction contract, the
11 department shall provide technical assistance.

12 (a) Notwithstanding any other state law, there is hereby created an Appeals Board, to be
13 composed of the Lieutenant Governor, the Budget Director, and the Controller General. The Appeals
14 Board shall approve the use of all unencumbered monies after that project is deemed “substantially
15 complete.” A project shall be deemed “substantially complete” when the project is occupied by 75
16 percent of the planned tenants or when deemed complete by the Appeals Board. One year after a project
17 is deemed “substantially complete,” any unencumbered authorization balance shall revert. In no case
18 shall this Section empower the Appeals Board to allow for the expenditure of funds for uses other than for
19 the funds authorized purpose(s). The Controller General shall notify the Co-Chairs of the Joint
20 Legislative Committee on the Capital Improvement Program of any decisions of the Appeals Board.

21 (b) The use of Minor Capital Improvement and Equipment Funds shall be permitted to complete
22 the project consolidating the J.P. Court No. 5 and 6 into a court facility in Houston, Delaware.
23 Notwithstanding the provisions of 29 Del. C.c. 94, the Department of Administrative Services is
24 authorized to negotiate the sale of the current Court 5 facility, with the proceeds to be applied to offset the
25 expenses associated with the consolidation of Courts no. 5 and 6.

1 (c) Except as outlined in subsection (b) above, the use of Minor Capital Improvement and
2 Equipment funds in order to ensure completion of a Major Capital Improvement project involving
3 construction of a new facility is prohibited unless the use of such funds are necessary due to a legal
4 settlement or emergency or unforeseen conditions as determined by the Secretary of the Department of
5 Administrative Services, the Budget Director, the Controller General and the Co-Chairs of the Joint
6 Legislative Committee on the Capital Improvement Program.

7 (d) The Department shall submit a quarterly status report to the Budget Director and Controller
8 General on all incomplete projects.

9 (e) No project's budget should be increased beyond what is appropriated in any Bond and Capital
10 Improvement Act, either with special funds or private funds, unless the use of those funds is approved by
11 the appropriate cabinet secretary, the Budget Director, the Controller General and Co-Chairs of the Joint
12 Legislative Committee on the Capital Improvement Program.

13 Section 50. Prior Year Amendments. Amend 73 Del. Laws, c. 95 § 67 by deleting the final line
14 in its entirety and replacing it with the following: "If any of the projects listed in the Section 1
15 Addendum to this Act utilize Stripper Well Funds (30-05-10-8401), a sum equal to the amount so used
16 shall be transferred back to the Infrastructure Investment Account (30-05-10-7210)."

17 Section 51. Minor Capital Improvements and Equipment Supplement - Department of
18 Administrative Services. Notwithstanding the provisions of any other State law to the contrary, not
19 more than \$200,000 may be expended to enter into contractual agreements for project representatives
20 and associated administrative support to ensure adequate oversight of State construction projects. The
21 Secretary of Administrative Services is directed to provide an itemized budget for this amount to the
22 Controller General by August 1, 2002, and expenditure reports to the Controller General by December 1,
23 2002 and June 1, 2003.

24 Section 52. New Castle County Courthouse. Notwithstanding any law or local governmental
25 ordinance, resolution, or any deed restrictions to the contrary, the Secretary of Administrative Services
26 shall designate the name of any state-owned or state-operated courthouse or other judicial building or

1 facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
2 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
3 any statues or memorials in or on the grounds of such courthouse or judicial building of facility.

4 Section 53. Prison Construction – Delaware Correctional Center. In the course of major or minor
5 capital improvement projects at the Delaware Correctional Center, the Department of Administrative
6 Services shall apply for all permits and approvals required pursuant to any applicable provision of 9 and
7 22 Del. C. or any ordinance, rule or regulation enacted pursuant thereto; provided, however, that any such
8 permit or approval shall be granted within 45 days from the day upon which the Department makes
9 application for the same. If any required approval or permit is not granted within 45 days as set forth
10 above, the department may commence construction and shall be relieved of any future liability for
11 obtaining such approval or permit.

12 Section 54. Troop 2 Property. During Fiscal Year 2003, the Department of Public Safety may
13 not declare any portion of the parcel of land occupied by the current Troop 2 as surplus property.

14 Section 55. Agricultural Lab. Notwithstanding any applicable state laws to the contrary, for the
15 fiscal year ending June 30, 2002, the Department of Administrative Services shall be permitted to use
16 Minor Capital Improvement funds from the Fiscal Year 2002 appropriation (30-05-10-0167) for the
17 completion of this project.

18 Section 56. Belvedere Service Center. It is the intent of the General Assembly that the
19 Department of Administrative Services (Department) shall not take title to the Absalom Jones School
20 unless the three following conditions are met: (1) Lease agreements must be accepted and executed by a
21 sufficient number of tenants so that the aggregate rental income in other than the first year of ownership
22 by the Department is at least equal to the estimated annual operating costs of the facility, (2) New Castle
23 County must transfer \$500,000 to the Department to cover capital repairs planned by the Department and
24 the operating costs for the first year of operation, and (3) the Department of Education must transfer
25 \$500,000 programmed for the Absalom Jones School in the Fiscal Year 2002 capital budget to the
26 Department. If the Department takes title to the Absalom Jones School the following condition shall

1 apply: liabilities that may be associated with drainage problems that occurred prior to the date of the
2 transfer that result in the flooding of properties adjacent to the Absalom Jones School shall not be
3 transferred to either the Department or the state.

4 Section 57. Kent County Courthouse and O'Brien Building. It is the intent of the General
5 Assembly that funds previously appropriated for the Kent County Courthouse ("Courthouse") be used to
6 purchase and make improvements to the Courthouse, convert a portion of the O'Brien Building for
7 judicial use, pay rent for the O'Brien Building space, and pay for additional operating expenses associated
8 with the Courthouse.

9 Further it is the intent of the General Assembly that the State shall proceed with the purchase of
10 the O'Brien Building during Fiscal Year 2004.

11 Section 58. Veterans Home. It is the intent of the General Assembly that a Veterans Home
12 Advisory Committee ("the committee") be established in order to provide recommendations to the
13 General Assembly on the use and viability of existing state owned properties and structures for the future
14 location of a Veterans Home. The committee shall also examine the extent to which currently provided
15 state services and programs can be used to address the needs of those who may be eligible to use a
16 Veterans Home and to further define the capital and operating costs, including staffing, such a home may
17 incur. The committee shall also review what portion of the operating and capital costs the federal
18 government will support. The committee shall be composed of the following members: one member
19 appointed by the President Pro Tempore of the Senate, one appointed by the Speaker of the House, the
20 Secretary of State or their designee, the Secretary of the Department of Health and Social Services or their
21 designee who shall chair the committee, the Budget Director or their designee, the Secretary of
22 Administrative Services or their designee, the Co-Chairs of the Joint Legislative Committee on the
23 Capital Improvement Program or their designee, the Chairman of the Delaware Commission on Veterans
24 Affairs or their designee, the Director - Services for Aging and Adults with Physical Disabilities or their
25 designee and the Controller General or their designee. The group shall meet as required to provide a final

- 1 series of recommendations to the Co-Chairs of the Joint Legislative Committee on Capital Improvements
- 2 by April 1, 2003.

1 **DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES**

2 Section 59. Prior Year Funds. The funds that remain in the Department of Administrative
3 Services, Facilities Management, Fiscal Year 2001 appropriation (30-05-10-0866) shall be used to
4 preserve the Harlan Building to include demolishing the latest addition and porch, sealing the building,
5 and any other work required for future renovations. The funds shall also be used to repair or replace the
6 roof on the Administration Building. The balance of the funds shall be used for statewide Minor Capital
7 Improvements and Equipment in the Department of Administrative Services.

1 **DEPARTMENT OF CORRECTION**

2 Section 60. Prison Construction. (a) Of the funds authorized, the Secretary of the Department
3 of Administrative Services, as provided through construction management services, shall consult with
4 the Commissioner of Correction to ensure expedient programming, planning and construction of
5 authorized correctional facilities. None of the funds authorized herein or in prior fiscal years are
6 intended to supplant federal funds.

7 (b) Use of any federal grant funds awarded and approved by the Delaware State Clearinghouse
8 Committee for the purpose of constructing correctional facilities shall have the technical oversight of the
9 Secretary of Administrative Services as defined in the appropriate Section of this Act pertaining to
10 management of the construction to ensure proper use and timely completion of all such construction
11 projects authorized herein.

12 Section 61. Community Restoration. The Department of Correction may, to the extent resources
13 and appropriately classified offenders are available, direct these offenders to assist with community
14 restoration projects. These projects may include beautification, clean up and restoration efforts requested
15 by civic, governmental and fraternal organizations approved by the Commissioner.

16 Section 62. Equipment. Of the funds remaining in Fiscal Year 1995 appropriation (20-08-01-
17 0182), up to \$35,000 shall be used for lawn care equipment for the Department of Correction.

1 **DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 Section 63. Beach Preservation. The General Assembly hereby appropriates \$1,000,000 to the
3 Department of Natural Resources and Environmental Control in the Section 1 Addendum of this Act to
4 renourish and preserve the state's beaches. The department may not encumber the funds appropriated
5 herein for privately-owned ocean beaches. The department may not encumber the funds appropriated
6 herein for publicly accessible municipal ocean beaches until at least an equal amount of non-state funds
7 are available for such projects. The funds provided for beach preservation as defined in 30 Del. C. c. 61
8 can be used for local match and if so designated, shall be reimbursed by the department on an equal
9 basis to each such county or town for which a beach preservation project has been accomplished. The
10 availability of the aforementioned non-state matching funds must be approved by the Budget Director
11 and the Secretary of the Department of Natural Resources and Environmental Control.

12 Section 64. Conservation Cost-Sharing Program. The Section 1 Addendum to this Act
13 appropriates \$2,345,000 to the Department of Natural Resources and Environmental Control for the
14 Conservation Cost-Sharing Program. This appropriation shall be allocated as follows:

- 15 1. \$900,000 for the Soil and Water Conservation Program. The Department shall spend one-third of
16 such funds for use in each County.
- 17 2. \$1,445,000 shall be spent on nutrient management efforts statewide. The Division of Soil and
18 Water may target all or a portion of the funds appropriated for conservation cost share to critical
19 areas, such as the Inland Bays Watershed, the Nanticoke Watershed and others as designated by
20 the Secretary of the Department of Natural Resources and Environmental Control. Of the
21 \$1,445,000 allocated for nutrient management efforts statewide, up to \$150,000 may be spent to
22 repair or replace failed manure sheds or other manure handling systems. Funds appropriated to
23 replace failed manure sheds or manure handling systems are not subject to the cost share match.

24 Section 65. DNREC Land Acquisition. Except for land acquired by approval of the Open
25 Space Council or approved through a Bond and Capital Improvements Act, land shall not be purchased
26 by the Department of Natural Resources and Environmental Control without prior approval of the Co-

1 Chairs of the Joint Legislative Committee on the Capital Improvement Program provided, however, that
2 the department is not prohibited from conducting studies, surveys or other contractual arrangements that
3 would normally precede land acquisition procedures.

4 Section 66. Land and Water Conservation Trust Fund Interest. Of the interest monies generated
5 on the principal deposited in the Land and Water Conservation Trust Fund before 1995, no more than
6 \$40,000 may be spent for the combined administrative costs of the Open Space Council and the Council
7 on Greenways and Trails.

8 Section 67. Open Space Match Requirements. Notwithstanding the provisions of 29 Del. Code,
9 §6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of
10 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby
11 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land
12 purchase if it can be demonstrated that meeting said match requirements would prevent the timely
13 purchase of said parcel.

14 Section 68. Army Corps of Engineers Project Cooperation Agreements. By using funds
15 approved by Bond and Capital Improvements Acts, the Secretary of the Department of Natural Resources
16 and Environmental Control is authorized to sign Project Cooperation Agreements with the Department of
17 the Army and other appropriate sponsors for planning, construction, operation and maintenance for
18 projects entered into by said Agreements.

19 Section 69. Prior Year Funds. Any funds that remain in the Department of Natural Resources
20 and Environmental Control, Division of Parks and Recreation, Fiscal Year 2002 appropriation (40-06-02-
21 7211) shall be used for the planning, design, engineering and/or construction of capital projects within
22 Killens Pond State Park by the Division of Parks and Recreation.

23 Section 70. Indian River Marina. (a) Notwithstanding any applicable state laws to the contrary,
24 the Department of Natural Resources and Environmental Control (DNREC) under the direction of the
25 Budget Director may utilize up to \$8,800,000 in funds from Twenty First Century Fund for the Parks
26 Endowment Account as established in § 6102A(e), Title 29, Delaware Code for the purpose of

1 revitalizing and enhancing public amenities within the Delaware Seashore State Park in and around the
2 Indian River Marina Complex and related support facilities as presented to the Joint Legislative
3 Committee on Capital Improvements on May 15, 2002. DNREC will repay both the principal borrowed
4 and interest on the principal borrowed equal to that interest lost as a result of borrowing from the
5 Account. Repayment shall not exceed twenty years.

6 (b) DNREC, through the use of workshops, meetings or newsletters shall actively solicit the
7 opinions of users of the marina complex and the general public in development of construction documents
8 related to the Indian River Marina Complex. DNREC shall complete and submit to the Joint Legislative
9 Committee on the Capital Improvement Program a quarterly report on the progress made on the project,
10 expected events in the upcoming quarter, funds encumbered and spent and the number of activities
11 conducted to keep the public informed.

12 (c) By January 16, 2003, the Budget Director shall submit to the Joint Legislative Committee on
13 the Capital Improvement Program for approval a plan to contract for the management of the Marina's
14 operations.

15 Section 71. Aquatic Center. Notwithstanding any state law to the contrary, it is the intent of the
16 General Assembly that the Secretary of Finance and the Budget Director shall have full authority to
17 negotiate with any interested parties the construction of a swimming pool with the funds remaining as of
18 June 30, 2002 in appropriations Fiscal Year 1991 (40-06-04-6212), Fiscal Year 1992 (40-06-04-6212),
19 Fiscal Year 1994 (40-06-02-6413), Fiscal Year 1995 (40-06-02-0184), Fiscal Year 1996 (40-06-02-6613),
20 Fiscal Year 1997 (40-06-02-6713) and Fiscal Year 1999 (40-06-02-0811). Of the funds available in these
21 appropriations, up to \$50,000 may be used to develop plans and recommendations regarding the size,
22 location, and design of the pool and any related infrastructure and amenities that may be a part of the final
23 recommendations. In no case shall the final recommendations include any proposal that will oblige the
24 state to incur any of the costs associated with operating or maintaining the pool or any associated
25 complex. The Secretary of Finance and the Budget Director shall make their recommendations available
26 to the Co-Chairs of the Joint Legislative Committee on Capital Improvements on or before October 1,

1 2002. The Co-Chairs of the Joint Legislative Committee on Capital Improvements shall have the final
2 approval authority to accept the recommendations and to direct the implementation of the
3 recommendations.

4 Section 72. Cape Henlopen. The funds that remain in the Department of Natural Resources and
5 Environmental Control, Division of Parks and Recreation, Fiscal Year 2001 appropriation (40-06-02-
6 0813) shall be used for the planning, design, engineering and/or construction of projects within Cape
7 Henlopen State Park by the Division of Parks and Recreation.

DEPARTMENT OF PUBLIC SAFETY

1
2
3
4

Section 73. Prior Year Funds. Any funds that remain unencumbered in the Department of Administrative Services, Facilities Management, Fiscal Year 2001 appropriation (30-05-10-0868) shall be used for the Minor Capital Improvements and Equipment Program for the Department of Public Safety.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 74. General Provisions. Notwithstanding the provisions of any state law to the contrary,
3 the Department of Transportation ("Department") is hereby authorized and directed to carry out the
4 following legislative mandates:

5 (a) Transportation Trust Fund Authorizations. Sums not to exceed \$334,260,600 (State
6 \$224,742,900; federal \$106,937,800; other \$2,579,900) are authorized to be withdrawn from the
7 Transportation Trust Fund to carry out the projects and programs as set forth in the Section 1 Addendum
8 of this Act.

9 (b) New Transportation Trust Fund Debt Authorizations. To fund a portion of the projects
10 authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an
11 amount not to exceed \$84,465,000 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more
12 than \$80,250,000 shall be used for purposes set forth in the Section 1 Addendum of this Act with the
13 remainder, not to exceed \$4,215,000, to be used to fund issuance costs and necessary reserves for the
14 Reserve Account.

15 (c) Reauthorization of Previous Fund Balances. Of the \$334,260,600 authorized in subsection
16 (a) above, the sum of \$9,940,000 (State) for newly authorized projects within the specified systems shall
17 be funded from previously authorized, but unexpended balances in the following accounts:

<u>Deauthorize/Reauthorize</u>	<u>Amount</u>
18 Transit System (73/00)	\$ 334,000
19 Support System (76/00)	6,364,460
20 Road System (77/00)	<u>3,241,540</u>
21	
22 TOTAL	\$9,940,000

23 Section 75. SR 141 Crossing. The Secretary of Transportation is authorized to develop a design
24 competition for the development of a design for the SR 141 crossing of the Brandywine River. The
25 design competition shall consider aesthetics, cost, use of new technologies, and environmental and

1 historic impacts. For the purpose of selecting Design Teams for the competition and making payments to
2 the teams to develop selected design concepts, the Department shall be exempt from the provisions of 29
3 Del. C. c. 69.

4 Section 76. AstraZeneca Project. The Department of Transportation is authorized to reimburse
5 DEDO for the cost of such lands needed solely for such transportation improvements, subject to
6 compliance with all necessary federal regulations that limit the timing of such expenditures by the
7 department. The per acre cost to DEDO for all the lands DEDO acquires for the AstraZeneca Project
8 shall be used as the per acre charge to the department for such reimbursement. Other acreage acquired by
9 DEDO for the AstraZeneca Project needed for area-wide stormwater management improvements,
10 wetlands mitigation, and/or historic preservation regulatory compliance, shall be made available to the
11 Department without cost for its use in constructing such improvements, facilities, and or complying with
12 historic preservation regulations.

- 13 1. The roadway concept plan developed by the joint public process and approved by the
14 Governor and the County Executive will be designed and constructed, as proposed. All
15 roadway alignments and connections shown in the concept plan will be maintained in the
16 final project design. Only modifications to ensure safety or to minimize or avoid impacts to
17 environmentally sensitive areas will be permitted in the final design. However, no change
18 will be made to the concept that will result in a degradation of the Level of Service as
19 committed by New Castle County and as defined in the Department of Transportation's
20 response to the AstraZeneca Traffic Impact Study; and
- 21 2. To accommodate the growth projected by AstraZeneca, the Department of Transportation
22 will complete Phase 1 ITMS improvements and Phase 1 transit improvements by the end of
23 Fiscal Year 2002. All roadway construction improvements will be complete by the end of
24 Fiscal Year 2007. The Department will prepare construction contracts and advance them to

1 construction in the most efficient manner possible. Contracts should be prepared and staged
 2 to minimize disruption to the existing traffic flow; and

3 3. The construction schedule will be as follows:

4 Enhanced ITMS and transit improvements

5 Phase I Advertised 2001

6 Completed 2002

7 Phase 2 Advertised 2002

8 Completed 2003

9 Roadways on Westside of US Route 202 (Except SR 141 Spur Road)

10 Advertised 2002

11 Completed 2003

12 Roadways on Eastside of US Route 202

13 Advertised 2003

14 Completed 2004

15 Utility Relocation Contract(s)

16 Advertised As needed

17 US Route 202 Improvements

18 Advertised 2004

19 Completed 2005

20 Route 141 Spur & Children's Drive

21 Advertised 2005

22 Completed 2006

23 US Route 202, I-95 Southbound Ramp through Broom Street

24 Advertised 2006

25 Completed 2007

- 1 4. This schedule assumes the following project components are completed in a timely manner in
2 order to maintain the proposed advertisement and construction schedule:
- 3 a. Completion of real estate acquisition by others to meet project schedules;
 - 4 b. Issuance of all applicable federal, state and county permits to meet project schedules; and
 - 5 c. Completion of utility relocations with appropriate private and public companies in a series
6 of roadway projects;
- 7 5. Periodic workshops will be held to present status reports on project design.
- 8 6. It is the intent of the General Assembly that the State will authorize the funding for the entire
9 project in the Fiscal Year 2001 Bond and Capital Improvements Act. These funds will remain
10 committed to this project. Federal Funds may be substituted for the State Funds, if the project
11 becomes eligible for Federal Funds without jeopardizing the construction schedule outlined in
12 #2 above.

13 Section 77. Surplus Land at Belmont Hall. Notwithstanding the provisions of any state laws or
14 regulations to the contrary, the Department of Transportation is hereby authorized and directed to transfer
15 surplus lands it now controls adjacent to Belmont Hall near Smyrna to the Department of State. Prior to
16 the execution of such contract, the Department of Transportation may sell such portion of that surplus
17 land, as it deems appropriate and necessary, to the adjoining cemetery under the control of the
18 Independent Order of Odd Fellows (“Odd Fellows”) under the prevailing statutes governing the sale of
19 such land. All land disposed of to the Odd Fellows may only be used for the purpose of expanding the
20 existing cemetery lots. All land transferred to the Department of State must be held as open space unless
21 a subsequent State agency improvement at the site shall be specifically authorized by a subsequent act of
22 the General Assembly.

23 Section 78. Charles Mills Boulevard Improvement Corporation.

24 (a) The General Assembly hereby authorizes the Governor to incorporate along with the Sussex
25 County Council a public benefit corporation entitled the Charles Mills Boulevard Improvement

1 Corporation (“Corporation”). The Corporation shall promote the common good of the citizens of
2 Delaware and Sussex County through the planning, development, construction, and management of
3 programs and projects intended to foster, encourage, and promote landscape improvements along and
4 adjacent to State Route 1 from the Nassau Overpass to the Seashore State Park south of Dewey Beach
5 (“Boulevard corridor”), as recommended in A Vision Plan For Charles Mills Boulevard (1999). A Board
6 of Directors (“Board”) with 12 members shall govern the Corporation. The Board of Directors shall
7 include: a representative of the Delaware River and Bay Authority; the Secretary of the Department of
8 Transportation; the representative for the 37th district of the House of Representatives; the senators for
9 the 18th and 20th Senatorial districts; the Sussex County Administrator; the Mayors of the City of Lewes,
10 the City of Rehoboth Beach and the Town of Dewey Beach; and three members from the private sector
11 with economic development expertise and/or business interests in the Boulevard corridor, appointed by
12 the Governor to serve at their pleasure. The Governor shall appoint a board member representing the
13 private sector to serve as Chair of the Board, who shall serve at the Governor’s pleasure. The Corporation
14 shall: 1) promote financial incentives to stimulate significant private landscape investments; 2) assist and
15 cooperate in capital development and public works programs related to landscaping, funded in
16 conjunction with other governmental agencies; 3) maintain land and open space for such landscaping; 4)
17 maintain structures or other public works in support of such landscaping; and 5) act generally in a
18 planning and development capacity. The Corporation shall also be authorized to accept private donations
19 for such purposes, and to keep such monies in the corporation’s own accounts.

20 (b) The Corporation may provide financial support for the public or private development of
21 landscape projects of a type and character similar to those identified in A Vision Plan For Charles Mills
22 Boulevard (1999). Such funds cannot be encumbered or expended until the Corporation provides proper
23 documentation and written certification that the use of such funds has been duly authorized and the
24 Budget Director and the Controller General certify that the use of such funds meets the purposes set forth
25 herein. Activities to be undertaken may include contracting for the development of publicly owned

1 landscape projects and for capital-related infrastructure costs incurred to support the development of
2 privately owned landscape projects in the Boulevard corridor. Landscape projects intended for
3 installation adjacent to or within the rights of way controlled by the Department of Transportation shall
4 not be approved by the Board without the concurrence of the Department of Transportation for those
5 project elements affecting safety, drainage, and other transportation issues.

6 Section 79. Highway Operations Facilities. The following building structures and facilities
7 constructed or to be constructed within the Department of Transportation’s operating rights-of-way for
8 the Interstate Highway System and State Route 1, that are used to assist in the operational and
9 maintenance activities for such roads, shall not be subject to zoning, subdivision, or building code
10 ordinances or regulations by any political subdivision of the State: a) Expressways Maintenance
11 Headquarters (equipment shed, roof replacement and HVAC); b) Tybouts Corner Maintenance Area
12 (equipment sheds, salt storage facility, and one-story area office building); and c) Talley Road
13 Maintenance Area (equipment sheds, storage facility, salt storage facility and security/privacy barrier).
14 The Department shall not construct any such facility or make improvements in any such existing facility
15 without first conducting a public workshop to describe such plans and gather public input into the effect
16 of such plans.

17 Section 80. Transit Bus Shelter Advertising. The General Assembly acknowledges the work of
18 the Delaware Transit Corporation (“DTC”) in developing and implementing a transit shelter improvement
19 program. Part of the program involves the use of contractual advertising on the downstream panel of such
20 shelters, to offset the capital and maintenance costs of such shelters, as contemplated in 17 Del. C. c. 11.
21 The General Assembly finds that such advertising is appropriate when located in most areas, but is
22 inappropriate in certain areas. Notwithstanding any other state or local law to the contrary, contractual
23 advertising under the DTC program shall be permitted, except in the following locations: (a) within a
24 residential subdivision, except at its entrance; (b) within 50 feet of a residence; (c) within 100
25 feet of any property designated as an historic resource under federal, state, or local law; or (d) within 150

1 feet of areas experiencing continually high incident rates of drug offenses or crimes against persons,
2 measured on a calendar-year basis, as designated by the State Bureau of Identification or the applicable
3 local police agency.

4 Section 81. Route 7 and Valley Road Project. Pursuant to previous legislation directing the
5 Department to design and construct certain permanent drainage improvements, as well as certain other
6 transportation, recreational, cultural, educational and open space improvements in the area of the newly
7 completed intersection of Route 7 and Valley Road in New Castle County, the Department has developed
8 a master plan for the implementation of such improvements, hereafter referred to as the (“Project”).

9 Notwithstanding the provisions of any state laws or regulations to the contrary, the Department is now
10 authorized and directed to:

11 (a) Enter into such contracts for the purchase of any lands necessary to complete the Project;

12 (b) Negotiate with private entities pursuant to the provisions of Section 62(a) of this Act, so as to
13 complete the Project on a timely basis, provided that the drainage portions of the Project shall
14 meet the following conditions:

15 1. Flows of water onto Lantana Square from areas north of Valley Road (including the impact of
16 highway and intersection improvements to Route 7 and Valley Road and future improvements
17 to SR7 within the relevant drainage area tributary (the “Improvements”)) shall not exceed the
18 maximum stream flow (250 cfs +/-) of the culvert near the intersection of SR7 and Valley
19 Road as it existed prior to the Improvements.

20 2. Plugging of culverts installed in connection with the Improvements shall remain and continue,
21 and a weir gate system or other appropriate technology shall be used to limit the stream flow
22 to 250 cfs +/- during construction of the Project and until satisfactory completion of the
23 Project; and

24 (c) Make such other improvements to the adjacent land so as to maximize the recreational, cultural,
25 educational and open space potential of the Project, consistent with improving the safety of
26 pedestrians, bicyclists, and motorists traveling through the area of the Project. The Department

1 may, at its discretion, and on such terms as it deems advisable, dispose of any undeveloped land
2 in the vicinity of the Project to public and/or private entities for the permanent protection of open
3 space, and to enter into such agreements with public and/or private entities as may be necessary
4 to insure that the portions of the Project developed for recreational, educational, or cultural
5 enjoyment are most effectively managed for the benefit of the citizens of the State.

6 Section 82. Road System. Section 1 Addendum of this Act appropriates the sum of
7 \$241,313,100 (State \$143,907,400; federal \$95,090,700; other \$2,315,000) for projects within the Road
8 System classification. Notwithstanding the provisions of any state law to the contrary, the General
9 Assembly further defines its intent with respect to those appropriations as follows:

10 (a) Design-Build Contracts. Notwithstanding other provision of state law to the contrary, the
11 Department of Transportation is hereby authorized to utilize a design-build contract mechanism for not
12 more than eight transportation construction projects as an experiment in using this procurement method
13 for transportation infrastructure improvements. Except as required to implement the award and
14 administration of a design-build contract, the provisions of 29 Del. C. c. 69 shall apply to such contracts.
15 The Co-Chairs of the Joint Legislative Committee on Capital Improvement Program shall approve the
16 eight aforementioned projects.

17 (b) Surface Treatment Pavement Conversion Program. The Department is authorized to continue
18 operating its Surface Treatment Pavement Conversion Program, under the following provisions:

19 (1) Of the amounts appropriated for Road System (77/00) as set forth in the Section 1
20 Addendum to this Act, the department is authorized to expend up to \$2,000,000 (State) for this
21 program.

22 (2) The program shall be limited to the conversion of surface treated roads in the State's road
23 inventory as of July 1, 1999 to new surfaces using hot mix pavement.

24 (3) The Department shall develop a priority list for hot mix paving under this program. The
25 department shall consider the following factors: average annual daily traffic; school bus routes;

1 safety considerations; ease of construction, taking into consideration sub-base quality, minimal
2 utility or right-of-way impacts, and minimal drainage problems; and using the current geographic
3 distribution ratios of such roads for planning and scheduling projects under this program, if
4 economically feasible. The Department shall use this priority list in determining the sequence of
5 projects undertaken within this program.

6 (c) Route 8/SR1 Interchange. The General Assembly finds as follows:

7 (1) It is appropriate for the Department to construct a partial interchange for State Route 8
8 and State Route 1, on the eastern edge of the City of Dover;

9 (2) The resource agencies of the State, as well as others, have identified the area east of the
10 proposed interchange as subject to development pressures if the interchange is constructed,
11 because the interchange's improved access to the State highway network for the area could act as
12 a catalyst for such development;

13 (3) The area east of the interchange includes historic and cultural resources, with much of the
14 area designated as within the Little Creek Hundred Rural Historic District;

15 (4) Several parcels in the area already participate in the State's Agricultural Lands
16 preservation programs; and

17 (5) It is appropriate to authorize the Department to minimize the development pressures on
18 the area east of the proposed interchange as a part of the interchange project. Notwithstanding the
19 provisions of any applicable State law to the contrary, the Department of Transportation is hereby
20 authorized to expend funds appropriated in the Section 1 Addendum to this Act for the SR8/SR1
21 Interchange Project, to acquire real property or property rights in order to minimize development
22 east of the interchange, as it deems necessary and appropriate under the applicable legal
23 authorities for such acquisitions, under the following conditions:

24 (a) The properties adjacent to State Route 8 from its crossing with State Route 1 east to
25 State Route 9 shall be the initial focus of the department's preservation efforts; and

1 (b) The Department shall report on the progress of this project to the Co-Chairs of the
2 Joint Legislative Committee on the Capital Improvement Program by May 1, 2003.

3 (d) Wilmington Riverfront. The State acknowledges that the lands on and near the Christina
4 Riverfront (the "Riverfront") constitute an area of critical importance to the vitality of the State, New
5 Castle County and the City of Wilmington. The State also acknowledges that this is a shared vision and
6 responsibility of the State, its subdivisions and instrumentalities, and that it is clearly in the public interest
7 to maximize both the private and public employment, as well as the public recreational, cultural, and
8 economic development opportunities available at the Riverfront. The State, with and through the
9 Department of Transportation and other departments of government, must work creatively and
10 cooperatively with other public entities and private interests, including employers located at or near the
11 Riverfront, to increase and expedite employment, economic development, transportation, cultural and
12 recreational opportunities.

13 In furtherance of these recognized public interests and public purposes, and notwithstanding the
14 provisions of any State or local law, ordinance or regulation to the contrary, the Department is hereby
15 authorized and directed to take such actions and enter into such contracts, with public and private
16 (whether for profit or not-for-profit) entities as it deems necessary and appropriate for the planning,
17 design, acquisition, renovation, construction, or disposal of such assets as may be required to enhance the
18 transportation, employment, economic development, educational, recreational, and cultural use and
19 development of properties on or near the Riverfront. In pursuing these objectives, the Department shall
20 pay special heed to the needs of all forms of transportation, by means including but not limited to
21 automobiles, and shall insure that adequate facilities are designed and located at such points so as to
22 maximize the use of transit, pedestrian, bicycle and such other modes as may be appropriate for the area.
23 The Department shall report to the Governor and the General Assembly by May 1, 2003 on its progress
24 toward reducing overall traffic congestion and improving access to and use of the Wilmington Amtrak
25 Station; increasing availability of public parking for visitors, commuters, and employers in and around the
26 Riverfront (including, without limitation, the expedited construction, repair, and overall continued

1 operation, management and maintenance of any such facilities); and locating, relocating, constructing,
2 renting or disposing of Department facilities in and around the Riverfront in connection with any of the
3 foregoing. In this regard, the State specifically recognizes all such actions, expenditures, agreements,
4 projects, uses, and activities to be public purposes and public uses, in furtherance of the public interest.

5 (e) Multimodal Improvements. The Department may work in conjunction with any political
6 subdivision of the state and with any private organization to plan and construct such improvements for
7 bicycle and pedestrian traffic as may be appropriate. In carrying out this program, the department may
8 take into consideration in scheduling its projects, those in which the affected local community is willing
9 to contribute a matching share (whether in cash, rights of way, or other in-kind services) in order to
10 accomplish the project.

11 (f) Transportation Enhancements. It is the intent of the General Assembly that the Department
12 provide notice to all state agencies, political sub-divisions within the state, and other parties of the
13 availability of, and rules governing, the Transportation Enhancements program. Such notice shall
14 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and
15 such other requirements as may be necessary to insure that any interested entity may work to become a
16 participating recipient under the program.

17 Section 83. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum of
18 \$26,100,000 (State) for projects within the Grants and Allocations classification. Notwithstanding the
19 provisions of any state law to the contrary, the General Assembly further defines its intent with respect to
20 those appropriations as follows:

21 (a) The sum of \$20,100,000 (State) shall be used for the Community Transportation Fund, in
22 accordance with the rules and regulations as adopted by the Joint Legislative Committee on the Capital
23 Improvements Program, as amended from time to time.

24 (b) The sum of \$6,000,000 (State) shall be used for the Municipal Street Aid program, pursuant
25 to the provisions of 30 Del. C. § 51.

1 Section 84. Route 40 Relief Route. The Department of Transportation is prohibited from
2 expending any funds on the Route 40 Relief Route “Alternative 6B” proposal as outlined in the June 1999
3 minutes of the Route 40 Corridor Study Committee and considered by the Route 40 Corridor Study
4 Committee and the Department of Transportation's Planning Team.

5 Section 85. Community Transportation Funds. Amend 2 Del. C. §1418 by deleting it in its
6 entirety and replacing it with the following:

7 “Any funds authorized in a bond and capital improvements act for the Community Transportation
8 Fund but not designated to a specific transportation project by June 30 of the third fiscal year of the
9 appropriation, shall be deauthorized, however, no such funds shall be deauthorized prior to July 1, 2005.”

10 Section 86. Transit System. The Section 1 Addendum of this Act appropriates the sum of
11 \$19,773,500 (State \$15,646,500; federal \$3,862,100; other \$264,900) for projects within the Transit
12 System classification. Notwithstanding provision of any state law to the contrary, the General Assembly
13 further defines its intent with respect to those appropriations as follows:

14 (a) 5310 Program. The Delaware Transit Corporation is authorized to expend up to \$1,267,000
15 (State \$999,800; federal \$267,200) from the Transit System classification (73/00) appropriated in this Act
16 for the 5310 Program, administered by the Federal Transit Authority.

17 Section 87. Support System. The Section 1 Addendum of this Act appropriates the sum of
18 \$47,074,000 (State \$39,089,000; federal \$7,985,000) for projects within the Support System
19 classification. Notwithstanding the provisions of any state law to the contrary, the General Assembly
20 further defines its intent with respect to those appropriations as follows:

21 (a) Port of Wilmington. The Diamond State Port Corporation (“Corporation”) is hereby
22 authorized and directed to use any authorized funds remaining after the completion of the new auto-berth
23 project, for any lawful improvement to enhance the competitive vitality of the Port. The Chairman of the
24 Corporation shall submit such requests for reauthorization to the Budget Director and the Controller
25 General for their approval prior to the encumbrance by the Corporation of any such funds.

1 (b) Transportation Facilities. The Section 1 Addendum of this Act appropriates \$6,500,000
2 (State) for the improvement and adaptation of Departmental facilities. In administering this
3 appropriation, the Secretary shall insure that the Department’s Maintenance Yards, especially those in the
4 Central District are properly upgraded to provide necessary facilities for the welfare and comfort of the
5 Department’s personnel, and the safekeeping of all equipment.

6 (c) Development of the Danner Farm Tract. Notwithstanding the provisions of any state laws or
7 regulations to the contrary, the Secretaries of the Departments of Administrative Services and
8 Transportation are authorized and directed to enter into such lawful contracts as may be necessary to
9 provide additional office and meeting space on the Danner Farm Campus in Dover for the Kent
10 Conservation District (“District”), and its associated agencies supporting the orderly growth and
11 development of the agricultural and general economy within the County and the State. Any such facilities
12 shall be planned and designed to provide maximum vehicle and pedestrian access to the constituents of
13 these organizations, and shall specifically include the provision of meeting spaces which may be used by
14 public agencies and private organizations, not to the detriment of the District.

15 (d) E-ZPass. The General Assembly finds that it is in the State’s best interest to improve the
16 overall level of availability of *E-ZPass* technology to the traveling public in Delaware, and to improve the
17 level of customer service provided to *E-ZPass* users. In this regard, the General Assembly hereby
18 establishes an *E-ZPass* Reserve Account, which shall be maintained within the Transportation Trust Fund
19 as a separate account. These funds may only be used by the Department in furtherance of its efforts to
20 improve the availability and quality of the *E-ZPass* assets and services. Should the Department determine
21 that it is in the best interests of the State to withdraw from the Regional Consortium, of which Delaware
22 was a founding member in 1995, these funds, and others as may be appropriated by the General Assembly
23 from time to time, may be used to satisfy any and all claims by the Regional Consortium against the State.

24 Section 88. Notwithstanding the provisions of 17 Del. C. §137 (b), the Department of
25 Transportation is hereby directed to deed Real Estate Inventory Plot No. K-30 B, an unused portion of the

1 Harrington Maintenance Yard and also identified as a portion of Kent County Tax Assessment No. MN
2 171.00 02-34.00, to Nancy J. Otis.

3 Section 89. Surplus Land at Routes 40 and 896. Pursuant to a master plan authorized by the
4 General Assembly in previous legislation, and such other sales and/or lease contracts which the
5 Department has already executed under that master plan, or may execute in the future, and not
6 withstanding the provisions of any state laws or regulations to the contrary, the Department is authorized
7 and directed to: (a) negotiate a sale of New Castle County Tax Parcel Number 11-027.00.007 to the
8 Young Men’s Christian Association; (b) assist in the clearing and development of adjacent land for the
9 use of recreational activities under the auspices of the Canal Little League; and (c) design and construct a
10 new road by means of improvements to existing roads and over unimproved land, all such improvements,
11 once completed, to be named “George Williams Way.” The General Assembly hereby declares that all
12 such work shall be in the public interest to expand and improve both transportation and recreational
13 improvements in the area and that the Department shall execute all such future contracts on such terms as
14 may be mutually agreeable between the respective parties and the Department.

15 Section 90. Eden Hill Farm. The State acknowledges that the lands in the City of Dover known
16 as the Eden Hill Farm, and adjacent undeveloped lands in the City of Dover and Kent County, (all
17 collectively referred to herein as the “Farm”) constitute an area of critical importance to the vitality of the
18 State, Kent County and the City of Dover. The State also acknowledges that this is a shared vision and
19 responsibility of the State, its subdivisions and instrumentalities, and that it is clearly in the public interest
20 to maximize both the private and public employment, as well as the public educational, recreational,
21 cultural, and economic development opportunities available at the Farm. The State, with and through the
22 Department of Transportation (the “Department”) and other departments of government, must work
23 creatively and cooperatively with other public entities and private interests, including employers located
24 at or near the Farm, to increase and expedite employment, economic development, transportation, cultural
25 and recreational opportunities.

1 In furtherance of these recognized public interests and public purposes, and notwithstanding the
2 provisions of any State or local law, ordinance or regulation to the contrary, the Department is hereby
3 authorized and directed to take such actions and enter into such contracts, with public and private
4 (whether for profit or not-for-profit) entities as it deems necessary and appropriate for the planning,
5 design, acquisition, renovation, construction, or disposal of such assets as may be required to enhance the
6 transportation, employment, economic development, educational, historic and open space preservation,
7 recreational, and cultural use and development of properties on or near the Farm. In pursuing these
8 objectives, the Department shall pay special heed to the needs of all forms of transportation, by means
9 including but not limited to automobiles, and shall insure that adequate facilities are designed and located
10 at such points so as to maximize the use of transit, pedestrian, bicycle and such other modes as may be
11 appropriate for the area. The Department shall report to the Governor and the General Assembly by May
12 1, 2003 on its progress toward reducing overall traffic congestion and improving access to and use of
13 North Street, Saulsbury Road, and the West Dover Development District; increasing availability of all
14 transportation assets for visitors, commuters, and employers in and around the Farm (including, without
15 limitation, the expedited construction, repair, and overall continued operation, management and
16 maintenance of any such assets); and the preservation of important historic and open space assets. In this
17 regard, the State specifically recognizes all such actions, expenditures, agreements, projects, uses, and
18 activities to be public purposes and public uses, in furtherance of the public interest.

19 Section 91. Safety Programs. In the event that the State of Delaware does not take the required
20 legislative action to avoid continued Federal Highway Administration (FHWA) sanctions, the Department
21 of Public Safety and Transportation shall submit a joint safety plan to include funds for local law
22 enforcement agencies to the Co-Chairs of the Joint Legislative Committee on Capital Improvements
23 Program by September 15, 2002. If acceptable to the Chairs, the plan shall then be submitted to the
24 Delaware State Clearinghouse Committee for approval. If all sanctions continue to be imposed by the
25 FHWA, both departments shall receive an amount not less than that received over the past two federal
26 fiscal years.

1 Section 92. Red Light Safety Enforcement. Notwithstanding the provisions of any state law to
2 the contrary, the Department of Transportation (“Department”), in cooperation with the named
3 municipalities in subsections (1) and (2) of this section, is hereby authorized and directed to establish
4 certain highway safety initiatives as provided below:

5 (1) The City of Wilmington may expand its current red light enforcement pilot program to
6 include an additional ten intersections, provided the Department approves such installations in accordance
7 with 21 Del. C. Section 4101.

8 (2) The following municipalities may implement a three-year red light enforcement pilot
9 program provided such installations comply with 21 Del. C. Section 4101.

- 10 1. City of Newark – 2 Intersections
- 11 2. City of Dover – 6 Intersections
- 12 3. City of Seaford – 1 Intersection
- 13 4. Town of Elsmere – 1 Intersection

14 (3) In conjunction with the Department of Public Safety, the Department is directed to begin its
15 own three-year pilot program to install and operate red light enforcement cameras in unincorporated areas
16 of the State. The Department shall recommend ten such locations based on the severity of red light
17 running and proven traffic accident statistics.

18 (4) Before any municipal jurisdiction expands or installs red light running cameras (“devices”),
19 and before the Department installs such devices in unincorporated areas of the State, the Department shall
20 insure that all such locations (whether within or outside municipal boundaries) shall not have been
21 objected to by the incumbent state Senator and Representative who, if re-elected, would represent that
22 proposed jurisdiction based on the newly drawn legislative districts which will apply for the general
23 election to be held on November 5, 2002. If either the state Senator or Representative for such districts
24 objects to the placement of these devices at the proposed location(s), the Department (and if necessary,
25 the affected municipality) shall substitute a new location based on recognized safety and accident criteria.

1 (5) In administering these pilot programs, the Department or municipalities, other state agencies,
2 and the courts involved shall follow the general provisions of 21 Del. C. Section 4101(d), except that the
3 proof of violation required by Section 4101(d)(8) may be provided by a certificate or facsimile thereof
4 sworn to or affirmed by a technician employed by a state agency or entity designated by a state agency to
5 impose assessments or administer records under Section 4101(d). In addition, the vehicle owner's option
6 to provide exculpatory evidence under 21 Del. C. Section 4101(d)(9) may be presented to the entity
7 handling the administrative appeal process for this pilot program, in lieu of Section 4101(d)(9)'s
8 requirement for proof in court. Furthermore, the assessments collected as a result of the Department's
9 administration of this pilot program in unincorporated areas of the state shall be deposited into the
10 Transportation Trust Fund created under 2 Del. C. Chapter 14. The Department shall use the proceeds
11 from any fines collected to reimburse state agencies and/or courts for their reasonable costs of
12 administering this program.

13 Section 93. Personal Mobility and Vehicular Transportation. The General Assembly finds that
14 there are citizens in the State whose productivity as members of the workforce and/or whose quality of
15 life and self-sufficiency could be improved by their abilities to transport themselves either in motorized
16 wheelchairs, scooters or other devices and/or by their ability to operate registered motor vehicles
17 customized for their use with approved technology.

18 In order to draw up appropriate public policies, to enact enabling legislation, and to fund the
19 highest priority needs, the General Assembly hereby authorizes the creation of the Delaware Assistive
20 Technology Policy Committee ("Committee"). The Committee shall be comprised of the following
21 individuals or his/her designees:

- 22 1) The President of the University of Delaware;
- 23 2) The Secretary of the Department of Transportation;
- 24 3) The Secretary of the Department of Health and Social Services;
- 25 4) The Secretary of the Department of Public Safety;
- 26 5) The State Budget Director;

- 1 6) The Controller General;
- 2 7) The Chairman of the Elderly and Disabled Transportation Advisory Committee;
- 3 8) The Director of the Delaware Assistive Technology Initiative Center for Applied Science
- 4 and Engineering;
- 5 9) The Chair of the Delaware Developmental Disabilities Council; and
- 6 10) One member of the Delaware State Senate and the Delaware House of Representatives,
- 7 appointed by the President *pro Tempore* and the Speaker of the House, respectively.

8 The Committee shall elect a member to serve as Chairperson.

9 The Committee shall:

- 10 1) Gather such data and information from as many sources as it deems necessary to respond to
- 11 the legislative mandate;
- 12 2) Employ such consultants and experts as may be available to assist in its deliberations;
- 13 3) Hold hearings and conduct workshops to elicit public opinion;
- 14 4) Seek assistance from other state and federal agencies with knowledge and expertise about
- 15 issues relating to the work of the Committee;
- 16 5) Investigate individual manufacturers' products and services which are available to serve the
- 17 needs of this special constituency, and rent, on a short term basis, such equipment for trial
- 18 by members of the Committee and/or the public as it deems appropriate; and
- 19 6) Draft its findings and, if necessary, legislation for consideration by the 142nd General
- 20 Assembly, with a report to be submitted not later than January 16, 2003.

21 The Secretaries of the Departments of Transportation and Health and Social Services are hereby

22 authorized to expend such sums as may be necessary, not in excess of \$100,000 in the aggregate, during

23 FY 2003, in order to support the work of the Committee.

1 **DEPARTMENT OF AGRICULTURE**

2 Section 94. Farmland Preservation Operating Expenses. The Section 1 Addendum to this Act
3 contains a Twenty-First Century Fund appropriation for Farmland Preservation. For the Fiscal Year 2003
4 allocation of these funds, it is the intent of the General Assembly that:

- 5 1. Up to \$150,000 may be used for the operating expenses of the Aglands Preservation
6 Foundation subject to the approval of the Budget Director and Controller General.
- 7 2. Up to \$350,000 may be used to pay the costs of mapping, legal services and other related
8 costs required to create agricultural district agreements and the costs of appraisals of all
9 eligible properties, and shall be exempt from matching requirements subject to the approval
10 of the Budget Director and Controller General.

11 Section 95. County Match. From funds appropriated in the Section 1 Addendum to Farmland
12 Preservation, the Foundation shall designate \$1,000,000 in each county to be applied as a 1:1 match of
13 county funds designated for the purchase of preservation easements. In order to qualify such county
14 funds must be transferred to the Delaware Agricultural Lands Preservation Trust Fund. The combination
15 of such funds shall be used to purchase easements from those properties which have applied to the
16 Foundation within said county, or in an area of the county designated in writing by the county, according
17 to the procedures of the Foundation. Where joint funds are used, the county and the Foundation must
18 mutually agree as to the easements purchased. Any county funds not fully utilized in such purchases shall
19 be returned to the county and such funds of the State as are not fully utilized in such purchases shall revert
20 to the Foundation's pool of funds available for preservation easements statewide.

21 Funds designated for each county that are not matched prior to the Foundation's selection of
22 properties eligible for easement purchase shall revert back to the Foundation's pool of funds available for
23 preservation easements statewide.

STATE FIRE COMMISSION

1
2
3
4
5
6

Section 96. Hydraulic Rescue Tools Replacement: It is the intent of the General Assembly that the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Claymont, Wilmington Manor, Carlisle and Citizens House volunteer fire companies. Upon submitting the receipts of sale, each company will be reimbursed up to \$7,500 by the State Fire Commission - State Fire School (75-02-01).

1 **HIGHER EDUCATION**

2 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

3 Section 97. Collegewide Asset Preservation Program. Section 1 of this Act provides funds for

4 Delaware Technical and Community College (90-04-00) for the College wide Asset Preservation

5 Program. This appropriation may be used for the acquisition of computer hardware and software.

1 **DEPARTMENT OF EDUCATION**

2 Section 98. Critical Classroom Acquisition Program. 72 Del. Laws, c. 258 appropriated
3 \$4,000,000 to the Appoquinimink School District to implement a \$4,500,000 Critical Classroom
4 Acquisition Program (CCAP). The total local share of this project shall be \$1,300,000. In Fiscal Year
5 2000, the district utilized \$500,000 of its Division III Equalization funds. The remaining \$800,000 shall
6 be repaid by the State withholding Division III Equalization funds in accordance with the following
7 schedule:

8	Fiscal Year 2001	\$160,000
9	Fiscal Year 2002	\$160,000
10	Fiscal Year 2003	\$160,000
11	Fiscal Year 2004	\$160,000
12	Fiscal Year 2005	\$160,000

13 Section 99. School Building and Custodial Verification. By September 30 of each calendar year,
14 each school district shall notify the Department of Education of its intended use for each school building
15 and administrative office building. School districts shall notify the department about changes in the use
16 of such buildings to include the sale of property, closing of a building, lease of property to another
17 agency, and additions and renovations. The Department of Education shall establish a standard reporting
18 mechanism that school districts shall utilize to gather and submit required information.

19 By October 30 of each calendar year, the Department of Education shall verify and reissue
20 custodial allocations to each school district based on the information obtained annually.

21 Section 100. Appoquinimink School District. During the Fiscal Year ending June 30, 2003, it is
22 the intent of the General Assembly that if the Appoquinimink School District enters into negotiations to
23 purchase any building or property not currently owned by the District for administration offices, the
24 provisions of § 1902 and § 1903 of 14, Del. C. and § 7509, and § 7510 of 29 Del. C. shall apply. It is
25 also the further intent of the General Assembly that funds previously appropriated for the expansion of the
26 current district offices may be used for the purchase of alternate facilities or property for office expansion.

1 Section 101. Neighborhood Schools. During the Fiscal Year ending June 30, 2002, \$3,000,000
2 was appropriated to the Department of Education for Neighborhood Schools Plans. This appropriation is
3 intended to offset local documented costs incurred by the school districts for the development, approval
4 and implementation of their neighborhood schools plans pursuant to 14 Del. C. §223 and 72 Del. Laws,
5 C. 287. The reimbursement criteria for documented, allowable costs shall be determined by the Budget
6 Director and Controller General, in consultation with the department of Education. In no such instance
7 shall reimbursements be made for costs incurred by a local school district prior to April 20, 2000.

8 Allocation of the funds appropriated shall be made by the Budget Director and Controller
9 General, in consultation with the Department of Education for costs associated with the following: (a)
10 submission of a neighborhood schools plan to the State Board of Education, (b) approval of such plan by
11 the State Board of Education and (c) completed analysis and design of alternative attendance feeder
12 patterns and/or alternative grade configurations. Such reimbursements may be used by the school districts
13 for any general education purpose. Any funds remaining subsequent to these allocations may be applied
14 to the state share of funding for capital construction related to an approved neighborhood schools plan.

15 Notwithstanding the provisions of 72 Del. Laws, c. 287 to the contrary, the funds herein
16 appropriated and allocated to the local school districts constitute the transition costs contemplated by 72
17 Del. Laws, c. 287 and all plans must be implemented within 18 months of receiving said transition costs
18 pursuant to 14 Del. C. §223(d) and (f). If a school district is unable to document local costs pursuant to
19 this section, the district must implement its Neighborhood School Plan within 18 months of State Board
20 of Education approval of such Plan.

21 Nothing in this section or 72 Del. Laws, c. 287 shall be construed to exempt local school districts
22 from going through the normal Certificate of Need process.

23 Section 102. School Construction Market Pressure. It is the intent of the General Assembly that
24 the sum of \$2,966,500 appropriated to the Department of Education in Section 1 of this Act be utilized by
25 local school districts to enable them to maintain a high level of construction quality in the environment of
26 increased market pressure and escalating costs. This funding will be provided to the following districts:

1	DISTRICT	SCHOOL	STATE	LOCAL MATCH
2	Appoquinimink	720 Pupil ES	\$1,069,600	\$ 436,900
3	Cape Henlopen	(2) 500 Pupil MS	\$1,896,900	\$1,264,600

4 Notwithstanding any provisions of the Delaware Code to the contrary, the local school districts are
5 required to pay for the local share of each project under this section. The following funds may be used to
6 meet the required local match: Minor Capital Improvement Funds and/or Division III Equalization.
7 Districts may also elect to finance the local match in accordance with the provisions of Chapter 21, Title
8 14 of the Delaware Code upon passage of a successful referendum for such purpose. In order to access
9 the state funds, district must notify the Department of Education, the Budget Director and the Office of
10 the Controller General which option the district has chosen.

11 Section 103. Amend 29 Del. C. §7503 (b) by deleting the sentence “For the statewide Autistic
12 Program, the Margaret S. Sterck School Delaware School for the Deaf, the John G. Leach School, the
13 John S. Charlton School, and the Sussex Consortium, construction shall be 100 percent state funded.” as
14 it appears therein and substituting in lieu thereof the following: “For the statewide Autistic Program, the
15 Margaret S. Sterck School, Delaware School for the Deaf, the John G. Leach School, the Kent County
16 Community School, the John S. Charlton School, the Sussex Consortium, and the Howard T. Ennis
17 School, construction shall be 100 percent state funded.”

18 Section 104. Land Donation for School Construction. Any land donated to a school district with
19 an approved major capital improvement program shall be required to return to the state one-half of the
20 state share amount originally budgeted for land purchase costs. In such case, the district shall be entitled
21 to keep the remaining one-half state share amount, as well as the full local share amount in accordance
22 with the certificate of necessity.

23 Section 105. Red Clay School District Land Purchase. The Red Clay School District shall be
24 required to return the state share of funds budgeted for land purchase and extraordinary site work, which
25 are not used for such purposes. Extraordinary site work shall include upgrading road access at school
26 entrances, tie-in to DelDOT storm water management pond, extending water and sewer main utilities to

1 the school site, additional leveling, fill and grading of building site and parking lots, and related soft costs
 2 as approved by the Department of Education.

3 Section 106. Capital School District Transfer. Notwithstanding any other provision to the
 4 contrary, the Department of Education, with the approval of the Budget Director, the Controller General
 5 and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program, is authorized
 6 to approve a transfer of more than 10% of major capital construction funds between major capital
 7 construction projects authorized in the Capital School District Certificate of Necessity #2013B-L dated
 8 January 21, 1999. The Capital School District shall not be authorized to change any conditions or incur
 9 any obligation in excess of Certificate of Necessity #2013B-L dated January 21, 1999.

10 Section 107. Reprogramming. Notwithstanding the provisions of any other state law, the State
 11 Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the balances below
 12 from the following General Fund projects and reauthorizes the funds to the New Castle County
 13 Vocational Technical School District - Marshallton Cafeteria - Renovations and Alterations. Said
 14 deauthorization/reauthorization shall be subject to the approval of the Budget Director, Controller General
 15 and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program.

16	<u>Department, Agency, or Instrumentality</u>	<u>Vol. & Ch.</u>	<u>Appropriation Code</u>	<u>Amount</u>
17	Department of Education	71/378	95-38-00-0810	\$ 5,125.00
18	Department of Education	71/378	95-38-00-6912	29,850.00
19	Department of Education	71/378	95-38-00-0812	0.00
20	Department of Education	71/378	95-38-00-6913	199,000.00
21	Department of Education	72/489	95-38-00-0808	<u>149,584.42</u>
22				\$ 383,559.42

23 Section 108. Amend Section 2661 (c)(3), Title 9 of the Delaware Code by adding the following
 24 sentence at the end thereof:

25 "It is intent of this section that lands or properties required to be conveyed by the
 26 applicant to New Castle County as a condition to subdivision approval shall not be

1 eligible to be used for purposes of obtaining a credit against the voluntary school
2 assessment notwithstanding the fact that such lands or properties may subsequently be
3 conveyed by the county to a school district."

4 Section 109. Amend Section 842 (c), Title 22 of the Delaware Code by adding the following
5 sentence at the end thereof:

6 "It is the intent of this section that lands or properties required to be conveyed by the
7 applicant to a municipality as a condition either to annexation or subdivision approval
8 shall not be eligible to be used for purposes of obtaining a credit against the voluntary
9 school assessment notwithstanding the fact that such lands or properties may
10 subsequently be conveyed by the municipality to a school district."

11 Section 110. Bond Verification. All bonds issued, or herein before or herein authorized to be
12 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

13 Section 111. Inconsistency. Insofar as the provisions of this Act are inconsistent with the
14 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
15 controlling.

16 Section 112. Severability. If any section, part, phrase, or provision of this Act or the application
17 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
18 operation to the section, part, phrase, provision, or application directly involved in the controversy in
19 which such judgment shall have been rendered and shall not affect or impair the validity of the
20 remainder of this Act or the application thereof.

1 Section 113. Effective Date. This Act shall take effect in accordance with the provisions of
2 state law.

SYNOPSIS

This Bill is the FY 2003 Bond and Capital Improvements Act.