



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

DELAWARE STATE SENATE

141st GENERAL ASSEMBLY

SENATE BILL NO. 250

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2002; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; 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 2002 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 2002 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, 2004, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2002 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	DFMS NO.	BOND AUTHOR- IZATIONS AND REAUTHOR- IZATION	DEAUTHOR- IZATION OF STATE GUAR- ANTEED BONDS	NON-TRANS. REVERSION & REPRO- GRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
OFFICE OF THE BUDGET											
Technology Projects	10-02-01	01001ARO	\$ -	\$ -	\$ 13,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,000,000
Subtotal:			\$ -	\$ -	\$ 13,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,000,000
DELAWARE ECONOMIC DEVELOPMENT OFFICE											
Strategic Fund	10-03-03	94001AGD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000
DSU High Technology Incubator	10-03-03	01005ABD	1,800,000	-	-	-	-	-	-	-	1,800,000
Biotech Institute	10-03-03	00005ABD	2,500,000	-	-	-	-	-	-	-	2,500,000
Garrison Oak Infrastructure Improvements	10-03-03	02001ABD	500,000	-	-	-	-	-	-	-	500,000
Fraunhofer	10-03-03	02002ARD	-	-	450,000	-	-	-	-	-	450,000
Delaware City Riverfront	10-03-03	00010ABD	135,000	165,000	-	-	-	-	-	-	300,000
Blades Marina	10-03-03	99011ABD	750,000	-	-	-	-	-	-	-	750,000
Riverfront Development Corporation	10-03-03	00004ARD	-	-	3,300,000	-	-	-	-	-	3,300,000
Subtotal:			\$ 5,685,000	\$ 165,000	\$ 3,750,000	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 19,600,000
STATE											
Newark Free Library	20-08-01	02003ABC	\$ 374,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 374,500
Wilmington Institute, Woodlawn Branch	20-08-01	01012ABC	275,000	-	-	-	-	-	-	-	275,000
Smyrna Public Library	20-08-01	02004ARP	-	-	4,500	-	-	-	-	-	4,500
Smyrna Library Land Acquisition	20-08-01	02005ABL	175,000	-	-	-	-	-	-	-	175,000
Delaware City Public Library	20-08-01	01010ABR	1,650,000	-	-	-	-	-	-	-	1,650,000
Milton Public Library	20-08-01	02006ABC	680,800	-	-	-	-	-	-	-	680,800
Seaford District Library	20-08-01	01011ZBC	388,000	-	-	-	-	-	-	-	388,000
Frankford Public Library	20-08-01	02007ARP	-	-	20,000	-	-	-	-	-	20,000
Harrington Public Library	20-08-01	02008ABC	221,500	-	-	-	-	-	-	-	221,500
South Coastal Library	20-08-01	02009ABR	100,000	-	-	-	-	-	-	-	100,000
Legislative Hall Display Cases	20-06-04	02010ARO	-	-	45,000	-	-	-	-	-	45,000
Historical Markers	20-03-01	02011ARO	-	-	7,000	-	-	-	-	-	7,000
Subtotal:			\$ 3,864,800	\$ -	\$ 76,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,941,300

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ADMINISTRATIVE SERVICES											
Environmental Compliance (UST/Asbestos)	30-05-10	00027ARM	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000
Statewide Infrastructure Reinvestment (Buena Vista, William Penn Bldg,NCC DMV, Judicial MCI, State MCI)	30-05-10	02012ABR 02012ARR 02012ASR	3,725,000	-	400,000	1,000,000	-	-	-	-	5,125,000
New Castle County Courthouse Equipment	30-05-10	02013ABE	2,500,000	-	-	-	-	-	-	-	2,500,000
Capitol Area Space Study	30-05-10	02014ARP	-	-	250,000	-	-	-	-	-	250,000
Architectural Barrier Removal	30-05-10	91016AGM	150,000	-	-	-	-	-	-	-	150,000
Energy Efficiency Program	30-05-10	95014ASM	-	-	-	300,000	-	-	-	-	300,000
Sussex Courthouse	30-05-10	96010ABR	7,000,000	-	-	-	-	-	-	-	7,000,000
Carvel Building Plaza Deck	30-05-10	99021ABR	980,000	-	-	-	-	-	-	-	980,000
Office of Information Services Projects											
Diesel Generator	30-05-10	02015ABE	313,000	-	-	-	-	-	-	-	313,000
Department of State Projects											
Veterans Cemetery - New Castle County	30-05-10	02016ABC	725,000	-	-	-	-	-	-	-	725,000
Archives Building	30-05-10	96015ARO	-	-	795,000	-	-	-	-	-	795,000
New Castle Courthouse	30-05-10	02016ARR	-	-	750,000	-	-	-	-	-	750,000
Abbots Mill	30-05-10	02017ABO	140,000	-	-	-	-	-	-	-	140,000
Dayett Mills	30-05-10	02018ABM	50,000	-	-	-	-	-	-	-	50,000
Department of Health and Social Services Projects											
MCI/Equipment Supplement -DHSS	30-05-10	83029ARM	-	-	150,000	-	-	-	-	-	150,000
Department of Services for Children, Youth and Their Families Projects											
Stevenson House Secure Care Facility	30-05-10	00035ABC	1,825,000	-	-	-	-	-	-	-	1,825,000
Department of Correction Projects											
DCC Maximum Security Construction	30-05-10	95019ARC	1,037,500	-	900,000	-	-	-	-	-	1,937,500
Department of Public Safety Projects											
Troop 2 Replacement	30-05-10	97013ABC	3,600,600	-	-	-	-	-	-	-	3,600,600

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Delaware National Guard Projects											
Smyrna Readiness Center	30-05-10	97015ABC	190,000	-	-	-	-	-	-	-	190,000
MCI/Equipment Supplement - DNG	30-05-10	91051AGM	-	-	-	-	-	-	150,000	-	150,000
Subtotal:			\$ 22,236,100	\$ -	\$ 3,745,000	\$ 1,300,000	\$ -	\$ -	\$ 150,000	\$ -	\$ 27,431,100
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL											
Judge Morris Parking Lot	40-06-02	99036ABC	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	45,000
Killens Park Planning	40-06-02	02019AGP	350,000	-	-	-	-	-	-	-	350,000
Aquatic Weed Harvester	40-07-01	02020ARE	-	-	180,000	-	-	-	-	-	180,000
Tax/Public Ditches	40-07-02	78031ARC	-	-	800,000	-	-	-	-	-	800,000
Beach Preservation	40-07-03	78032ARO	-	-	1,000,000	-	-	-	-	-	1,000,000
Conservation Cost Sharing Program	40-07-04	85033ARO 85033ABO	500,000	-	1,845,000	-	-	-	-	-	2,345,000
Combined Sewer Overflows - Wilmington	40-08-01	99040ARO	-	-	1,300,000	-	-	-	-	-	1,300,000
Inland Bays Signage	40-08-02	02021ARO	-	-	33,400	-	-	-	-	-	33,400
Debris Pit Remediation	40-09-03	01028ARO	-	-	250,000	-	-	-	-	-	250,000
Subtotal:			\$ 895,000	\$ -	\$ 5,408,400	\$ -	\$ -	\$ -	\$ -	\$ -	6,303,400
PUBLIC SAFETY											
State Police Helicopter Replacement	45-01-01	96023AGE	\$ -	\$ -	540,000	\$ -	\$ -	\$ -	\$ -	\$ -	540,000
Pickup Truck	45-01-01	02022ARE	-	-	73,000	-	-	-	-	-	73,000
Subtotal:			\$ -	\$ -	\$ 613,000	\$ -	\$ -	\$ -	\$ -	\$ -	613,000
TRANSPORTATION											
Road System	55-05-00	02023ATT	\$ -	\$ -	\$ -	\$ -	\$ 1,728,000	\$ 112,340,000	\$ -	\$ -	114,068,000
Grants and Allocations	55-05-00	02024ATT	-	-	-	-	-	26,100,000	-	-	26,100,000
Transit System	55-05-00	02025ATT	-	-	-	-	-	20,291,000	-	-	20,291,000
Support System	55-05-00	02026ATT	-	-	-	-	-	75,398,000	-	-	75,398,000
Subtotal:			\$ -	\$ -	\$ -	\$ -	\$ 1,728,000	\$ 234,129,000	\$ -	\$ -	235,857,000

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AGRICULTURE											
Nutrient Management Planning	65-01-01	01034ARO	-	-	600,000	-	-	-	-	-	600,000
Environmentally Controlled Poultry House	65-01-01	02027ARE	-	-	75,000	-	-	-	-	-	75,000
Subtotal			-	-	675,000	-	-	-	-	-	675,000
FIRE PREVENTION COMMISSION											
Hydraulic Rescue Tools (Minquadale, Talleyville)	75-02-01	92017ARE	\$ -	\$ -	15,000	\$ -	\$ -	\$ -	\$ -	\$ -	15,000
Thermal Imaging Cameras	75-02-01	99046ARE	-	-	135,000	-	-	-	-	-	135,000
Subtotal:			\$ -	\$ -	150,000	\$ -	\$ -	\$ -	\$ -	\$ -	150,000
UNIVERSITY OF DELAWARE											
Wolf Hall Renovation	90-01-01	01032ABR	\$ 3,000,000	\$ -	-	-	-	-	-	-	3,000,000
DuPont Hall Expansion	90-01-01	02028ABC	2,500,000	-	-	-	-	-	-	-	2,500,000
MCI/Equipment		97023AGE	-	-	-	-	-	250,000	-	-	250,000
Subtotal:			\$ 5,500,000	\$ -	-	-	-	-	250,000	-	5,750,000
DELAWARE STATE UNIVERSITY											
Administration Building	90-03-01	99049ABC	\$ 1,500,000	\$ -	-	-	-	-	-	-	1,500,000
Multi-purpose Sports/Wellness Complex	90-03-01	02029ABC	2,500,000	-	-	-	-	-	-	-	2,500,000
MCI & Equipment	90-03-01	80074ABE	650,000	-	-	-	-	-	600,000	-	1,250,000
Information Technology Building	90-03-01	99049ABC	500,000	-	-	-	-	-	-	-	500,000
Subtotal:			\$ 5,150,000	\$ -	-	-	-	-	600,000	-	5,750,000

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FISCAL YEAR 2002 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM	UNIT	DFMS NO.	BOND AUTHOR-	DEAUTHOR-	NON-TRANS.	STRIPPER	TRANS.	TRANS.	GENERAL	21st CENTURY	TOTAL		
				IZATIONS AND REAUTHOR- IZATION	IZATION OF STATE GUAR- ANTEED BONDS	& REPRO- GRAMMING		TRUST FUND REAUTH.					TRUST FUNDS	FUNDS
DELAWARE TECHNICAL AND COMMUNITY COLLEGE														
Asset Preservation/Equipment - Collegewide	90-04-01	02030ARE	\$	-	\$	1,380,000	\$	-	\$	-	\$	1,380,000		
Excellence Through Technology Campaign	90-04-01	97024AGO		-	-	-	-	-	-	300,000	-	300,000		
Administrative Information System Project	90-04-01	00055AGO		-	-	-	-	-	-	200,000	-	200,000		
Repair/Renovation of Jason Bldg: Owens Campus	90-04-02	95041ABR		1,718,000	-	-	-	-	-	-	-	1,718,000		
Stanton Campus Expansion	90-04-04	01035ARP		-	-	40,000	-	-	-	-	-	40,000		
Renovation/Equipment: Stanton/Wilmington	90-04-04	00056ABR		934,000	-	-	-	-	-	-	-	934,000		
Education and Technology Building - Terry Campus	90-04-06	97025ABR		1,428,000	-	-	-	-	-	-	-	1,428,000		
Subtotal:			\$	4,080,000	\$	1,420,000	\$	-	\$	-	\$	500,000	\$	6,000,000
EDUCATION														
Construction Contingency (60/40)	95-01-01	02031ABC	\$	3,600,000	\$	-	\$	-	\$	-	\$	3,600,000		
Absolom Jones Center	95-01-01	02043ARO		-	-	500,000	-	-	-	-	-	500,000		
Neighborhood Schools Planning	95-01-01	02044ARO		-	-	27,500	-	-	-	-	2,972,500	3,000,000		
		02044ACO												
School Library Resources	95-01-01	01068ARO		-	-	220,000	-	-	-	-	-	220,000		
School Facilities Condition Assessment (100% State)	95-01-01	01036ARP		-	-	709,500	-	-	-	-	-	709,500		
Caesar Rodney, Renovate Caesar Rodney HS (80/20)	95-10-00	01042ABR		10,000,000	-	-	-	-	-	-	-	10,000,000		
Caesar Rodney, Charlton Planning (100% State)	95-10-00	02042ABP		500,000	-	-	-	-	-	-	-	500,000		
Capital, Demolish, District Office (67/33)	95-13-00	02032ARO		-	-	458,300	-	-	-	-	-	458,300		
Capital, Renovate/Add to B.T. / West Dover Elementary (67/33)	95-13-00	00057ABR		2,528,500	-	-	-	-	-	-	-	2,528,500		
Capital, Renovate/Add to Fairview Elementary (67/33)	95-13-00	00065ABR		1,038,100	-	-	-	-	-	-	-	1,038,100		
Capital, Renovate/Add to Towne Point Elementary (67/33)	95-13-00	00067ABR		1,078,200	-	-	-	-	-	-	-	1,078,200		
Capital, Renovate, Central Middle (67/33)	95-13-00	02033ABR		5,002,600	-	-	-	-	-	-	-	5,002,600		
Capital, Renovate, Dover High (67/33)	95-13-00	00061ABR		1,234,500	-	-	-	-	-	-	-	1,234,500		
Capital, Renovate, KCCS (67/33)	95-13-00	00058ABR		1,018,300	-	-	-	-	-	-	-	1,018,300		
Capital, Renovate, William Henry Middle (67/33)	95-13-00	00064ABR		3,560,300	-	-	-	-	-	-	-	3,560,300		
Cape Henlopen, Construct two 500 pupil Middle Schools (60/40)	95-17-00	01049ABC		5,000,000	-	-	-	-	-	-	-	5,000,000		
Seaford, Renovate/Expand Douglas Intermediate (80/20)	95-23-00	00083ABR		1,000,000	-	-	-	-	-	-	-	1,000,000		
Smyrna, Construct 700 pupil Junior High (80/20)	95-24-00	0151ABC		1,605,600	-	-	-	-	-	-	-	1,605,600		
Smyrna, Renovate North Smyrna Elementary (80/20)	95-24-00	01054ABR		1,476,800	-	-	-	-	-	-	-	1,476,800		
Smyrna, Renovate Smyrna Elementary (80/20)	95-24-00	01055ABR		1,476,800	-	-	-	-	-	-	-	1,476,800		
Smyrna, Renovate Smyrna High (80/20)	95-24-00	01056ABR		4,000,000	-	-	-	-	-	-	-	4,000,000		

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EDUCATION (continued)											
Appoquinimink, Construct 720 pupil Elementary (71/29)	95-29-00	01058ARC	1,000,000	-	-	-	-	-	-	-	1,000,000
Appoquinimink, Renovate Middletown Middle (71/29)	95-29-00	01063ABR	783,100	-	-	-	-	-	-	-	783,100
Appoquinimink, Addition to District Office (71/29)	95-29-00	01061ABC	578,200	-	-	-	-	-	-	-	578,200
Appoquinimink, 400 pupil addition to Middletown High (71/29)	95-29-00	01059ABC	3,000,000	-	-	-	-	-	-	-	3,000,000
Brandywine, Renovate, Harlan Elementary	95-31-00	02036ABR	491,200	-	-	-	-	-	-	-	491,200
Brandywine, Renovate, Mt. Pleasant Elementary	95-31-00	02037ABR	540,000	-	-	-	-	-	-	-	540,000
Brandywine, Renovate, Concord High	95-31-00	02038ABR	1,493,100	-	-	-	-	-	-	-	1,493,100
Brandywine, Renovate, Mt. Pleasant High	95-31-00	02039ABR	1,855,300	-	-	-	-	-	-	-	1,855,300
Brandywine, Renovate, Claymont Education Center	95-31-00	02040ABR	289,400	-	-	-	-	-	-	-	289,400
Colonial, Renovate Calvin R. McCullough Elementary (65/35)	95-34-00	01045ABR	5,337,500	-	-	-	-	-	-	-	5,337,500
Colonial, Renovate Gunning Bedford Middle (65/35)	95-34-00	01046ABR	4,000,000	-	-	-	-	-	-	-	4,000,000
Colonial, Renovate John G. Leach School (100% State)	95-34-00	02034ABR	2,789,000	-	-	-	-	-	-	-	2,789,000
Colonial, Renovate William Penn High (65/35)	95-34-00	01047ABR	4,000,000	-	-	-	-	-	-	-	4,000,000
New Castle County Vo-Tech, Construct 1000 Pupil High (60/40)	95-38-00	01048ABC	3,000,000	-	-	-	-	-	-	-	3,000,000
Woodbridge, Construct 700 pupil Middle	95-35-00	02041ABC	1,250,000	-	-	-	-	-	-	-	1,250,000
Indian River, Construct 1000 pupil High, land (south) (60/40)	95-36-00	01064ABC	6,589,500	-	-	-	-	-	-	-	6,589,500
Indian River, Construct 1500 pupil High (north) (60/40)	95-36-00	01065ABC	8,368,600	-	-	-	-	-	-	-	8,368,600
Indian River, Renovate Georgetown Elementary (60/40)	95-36-00	01066ABC	310,400	-	-	-	-	-	-	-	310,400
Indian River, Renovate Phillip C. Showell Elementary (60/40)	95-36-00	01067ABC	528,300	-	-	-	-	-	-	-	528,300
Indian River, Renovate Richard Allen School (60/40)	95-36-00	02035ABC	84,700	-	-	-	-	-	-	-	84,700
State Consortium for Tech Prep Programs (100% State)	95-39-00	99088ARO	-	-	325,000	-	-	-	-	-	325,000
Delaware Skills Center (100% State)	95-38-00	99085ARO	-	-	150,000	-	-	-	-	-	150,000
Subtotal:			\$ 90,408,000	\$ -	\$ 2,390,300	\$ -	\$ -	\$ -	\$ -	\$ 2,972,500	\$ 95,770,800

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TWENTY-FIRST CENTURY FUND PROGRAMS											
Open Space	25-01-01	00091ABO	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,000,000
Farmland Preservation	25-01-01	00095ABO	1,000,000	-	-	-	-	-	-	5,000,000	6,000,000
	25-01-01	00095ACO									
Water/Wastewater	25-01-01	00092ABO	2,400,000	-	-	-	-	-	-	-	2,400,000
Resource, Conservation and Development	25-01-01	00093ABO	5,000,000	-	-	-	-	-	-	-	5,000,000
	Subtotal:		\$ 10,400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000,000	\$ 15,400,000
GRAND TOTAL:			\$ 148,218,900	\$ 165,000	\$ 31,228,200	\$ 1,300,000	\$ 1,728,000	\$ 234,129,000	\$ 11,500,000	\$ 7,972,500	\$ 436,241,600

1 Section 2. Deauthorization of State Guaranteed Bonds.

2 (a) Amend 29 Del. C. § 5054(d)(2), as amended, by striking the number "\$4,964,015" wherever
3 it appears in said Section and inserting in lieu thereof the number "\$4,799,015."

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 One Hundred Eighteen Million
11 Three Hundred Eighty Three Thousand Nine Hundred Dollars (\$118,383,900) and in the amount of
12 Twenty Seven Million Eight Hundred Forty Two Thousand Dollars (\$27,842,000) local share of school
13 bonds. Bonds authorized to be used by this Section shall mature not later than twenty (20) years from
14 their date of issuance. The proceeds of such bonds, except for local share of school bonds, are hereby
15 appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act and
16 summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Delaware Economic Development Office	\$5,850,000
Department of State	3,864,800
Department of Administrative Services	22,236,100
Department of Natural Resources and Environmental Control	895,000
University of Delaware	5,500,000
Delaware State University	5,150,000
Delaware Technical and Community College	4,080,000
Department of Finance (21 st Century Fund Projects)	10,400,000
Department of Education	<u>60,408,000</u>

	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
3	Construction Contingency	3,600,000	0	3,600,000
4	Capital, Renovate/Add to B.T. / West			
5	Dover Elementary (67/33)	2,528,500	1,245,400	3,773,900
6	Capital, Renovate/Add to Fairview			
7	Elementary (67/33)	1,038,100	511,300	1,549,400
8	Capital, Renovate/Add to Towne			
9	Point Elementary (67/33)	1,078,200	531,100	1,609,300
10	Capital, Renovate, Central Middle (67/33)	5,002,600	2,464,000	7,466,600
11	Capital, Renovate, Dover High (67/33)	1,234,500	608,000	1,842,500
12	Capital, Renovate, KCCS (67/33)	1,018,300	501,600	1,519,900
13	Capital, Renovate, William Henry			
14	Middle (67/33)	3,560,300	1,753,600	5,313,900
15	Caesar Rodney, Renovate Caesar			
16	Rodney HS (80/20)	10,000,000	2,500,000	12,500,000
17	Caesar Rodney, Charlton Planning (100%)	500,000	0	500,000
18	Cape Henlopen, Construct two 500			
19	pupil Middle Schools (60/40)	5,000,000	3,333,300	8,333,300
20	Seaford, Renovate/Expand Douglas			
21	Intermediate (80/20)	1,000,000	250,000	1,250,000
22	New Castle County Vo-Tech, Construct			
23	1000 Pupil High (60/40)	3,000,000	2,000,000	5,000,000
24	Indian River, Construct 1000 pupil High			
25	(south) (60/40)	6,589,500	4,393,000	10,982,500
26	Indian River, Construct 1500 pupil			
27	High (north) (60/40)	8,368,600	5,579,100	13,947,700
28	Indian River, Renovate Georgetown			
29	Elementary (60/40)	310,400	206,900	517,300
30	Indian River, Renovate Phillip C. Showell			
31	Elementary (60/40)	528,300	352,200	880,500

1	Indian River, Renovate Richard			
2	Allen School (60/40)	84,700	56,500	141,200
3	Appoquinimink, Addition to District			
4	Office (71/29)	406,800	166,200	573,000
5	Smyrna, Construct 700 pupil			
6	Junior High (80/20)	1,605,600	401,400	2,007,000
7	Smyrna, Renovate North Smyrna			
8	Elementary (80/20)	1,476,800	369,200	1,846,000
9	Smyrna, Renovate Smyrna			
10	Elementary (80/20)	1,476,800	369,200	1,846,000
11	Smyrna, Renovate Smyrna High (80/20)	<u>1,000,000</u>	<u>250,000</u>	<u>1,250,000</u>
12	Subtotals	<u>\$ 60,408,000</u>	<u>\$ 27,842,000</u>	<u>\$ 88,250,000</u>
13	Total			<u>\$118,383,900</u>

14 Section 4. Transfers to the State Treasurer's Bond Reversion Account.

15		Authorized	Project	
16		Vol & Ch	Appropriation	
17	<u>Project</u>	<u>Laws of DE</u>	<u>Code</u>	<u>Amount</u>
18	Campus Renewal	70/210	30-05-10-6622	\$ 1,919.50
19	Conservation and Development	69/77	40-07-02-6413	26,850.42
20	Wilm Expand	70/473	90-04-04-6712	0.17
21	Wilm Expand	71/150	90-04-04-6812	<u>104.48</u>
22			TOTAL	<u>\$ 28,874.57</u>

1 Section 5. Transfers to the State Treasurer’s School Bond Reversion Account.

2		Authorized	Project	
3		Vol & Ch	Appropriation	
4	<u>Project</u>	<u>Laws of DE</u>	<u>Code</u>	<u>Amount</u>
5	Dover High	70/473	95-13-00-6712	\$26.23
6	Arch Barrier Removal	69/386	95-29-00-6593	2,400.00
7	Rehab Hi Sch	70/210	95-31-00-6612	965.99
8	MCI Voc EQ	68/156	95-32-00-6284	0.80
9	Repl Tanks	70/473	95-40-00-6713	<u>27.65</u>
10			TOTAL	<u>\$ 3,420.67</u>

11 Section 6. Transfers from the State Treasurer's Bond Reversion Account. Notwithstanding the
 12 provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum of
 13 Ninety - Eight Thousand Four Hundred Dollars (\$98,400) from the State Treasurer's Bond Reversion
 14 Account (94-12-05-03-8101) to the following departments in the following amounts for the purposes set
 15 forth in the Section 1 Addendum of this Act:

16	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
17	Department of State	
18	(Frankford Public Library)	\$20,000
19	(Legislative Hall Display Cases)	45,000
20	Department of Natural Resources and Environmental Control	
21	(Inland Bays Signage)	<u>33,400</u>
22	Total	<u>\$98,400</u>

23 Section 7. Transfers from the State Treasurer's School Bond Reversion Account.

24 Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds become
 25 available, the sum of Two Hundred Sixty Five Thousand Dollars (\$265,000) from the State Treasurer's

1 School Bond Reversion Account (94-12-05-03-8102) to the following department in the following
 2 amount for the purpose set forth in the Section 1 Addendum of this Act:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Education	
(School Facilities Assessment)	<u>\$265,000</u>
Total	<u>\$265,000</u>

7 Section 8. Appropriation of General Funds. It is the intent of the General Assembly that Eleven
 8 Million Five Hundred Thousand Dollars (\$11,500,000) be appropriated to the following departments,
 9 agencies and instrumentalities of the State and in the following amounts for the purposes set forth in the
 10 Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2004,
 11 shall revert to the General Fund of the State of Delaware.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Delaware Economic Development Office	\$10,000,000
Department of Administrative Services	150,000
University of Delaware	250,000
Delaware State University	600,000
Delaware Technical and Community College	500,000
Total	<u>\$11,500,000</u>

19 Section 9. Appropriation of First State Improvement Fund.

20 (a) The State Treasurer shall transfer or disburse the remaining appropriation balance, not in
 21 excess of the amounts indicated below in the following project account to the First State Improvement
 22 Fund (86-12-05-03-9600)

<u>Department, Agency, or Instrumentality</u>	<u>Authorized Vol. & Ch.</u>	<u>Project Appropriation Code</u>	<u>Amount</u>
Department of State	72/258	20-06-04-8599	<u>\$ 16,727</u>
<u>TOTAL</u>			<u>\$16,727</u>

(b)The state hereby authorizes the appropriation of Fifty Five Thousand Dollars (\$55,000) from the First State Improvement Fund (86-12-05-03-9600) for the purposes set forth in the Section 1 Addendum of this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Fire Prevention Commission (Rescue Tools)	\$15,000
Delaware Technical and Community College (Stanton Campus Expansion)	<u>40,000</u>
Total	<u>\$55,000</u>

Section 10. Allocation of Stripper Well Funds. The state hereby authorizes the Department of Administrative Services to allocate One Million Three Hundred Thousand Dollars (\$1,300,000) from the proceeds of the Stripper Well Court Case Settlement for eligible projects up to the amount set forth in the Section 1 Addendum of this Act. All potentially eligible projects shall be submitted to the State Energy Office for review and prioritization according to the energy savings and payback predicted. For all projects eligible for Stripper Well funding, the Department of Administrative Services shall provide technical oversight of such projects and shall disburse funds in a manner consistent with the Stripper Well Court Case Settlement.

Section 11. Continuing Appropriations. For the fiscal year ending June 30, 2001, any sums in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2002.

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Account Codes</u>	<u>Remarks</u>
1999		10-02-01-0806	Law Enf 2000
1999		10-02-01-0808	Kent Radios
1999		10-02-01-0985	Loclawenfin
1992		10-03-03-0182	Dover Civic
1999		10-03-03-0804	Main Chnl
1999		10-03-03-0805	Dov Ctr
1999		10-03-03-0807	Milford Ind
1999		10-03-03-0811	Dov Civ Cnt
1998		10-03-03-8021	Adv Tech
1990		10-03-03-9643	Civic Center

1	1999	10-09-30-0806	Banyan
2	1999	10-09-90-0806	Release Date
3	1998	12-05-03-0800	L&W DFEASNC
4	2000	12-05-03-0888	GF Reprogramming
5	2001	12-05-03-0888	GF Reprogramming
6	2001	12-05-03-0889	GF Reprogramming
7	1995	20-01-01-0181	Hist Soc De
8	1995	20-01-01-0182	Mills – Histo
9	1999	20-03-01-0802	Histrc Mrkr
10	1998	20-06-01-0801	Redding House
11	1999	20-06-04-0806	Johnson Museum
12	1993	20-08-01-0182	Concord Lib
13	1995	20-08-01-0182	Wil Library
14	1998	20-08-01-0184	Bldg Altrat
15	1997	20-08-01-0800	Newark Land
16	1998	20-08-01-0801	So. Coastal
17	1999	20-08-01-0802	Gtown Lib
18	1999	20-08-01-0803	Lib 40%-50%
19	1999	20-08-01-0805	Concord Lib
20	1999	20-08-01-0807	NC Nrth Lib
21	1996	20-08-01-6612	NCC N-Lib
22	1996	20-08-01-6616	N. Wilm
23	1997	20-08-01-6712	NCCo Library
24	1999	25-01-01-0187	Covey
25	1998	25-01-01-0802	Aid Loc Gov
26	1997	30-05-10-0800	Vet Cemetery
27	1996	30-05-10-0192	Woodshavenk
28	1999	30-05-10-0195	Asbestos
29	1998	30-05-10-0801	SccCourthouse
30	1998	30-05-10-0806	JP CT 7/16
31	1998	30-05-10-0809	Dayett Mills
32	1998	30-05-10-0820	DEMA EOC
33	1999	30-05-10-0806	JP 7/16
34	1998	30-05-10-0817	Asbestos - WHK
35	1998	30-05-10-0818	Prison Cons
36	1999	30-05-10-0819	MCI/EQ Corr
37	1998	30-05-10-0820	DEMA
38	1999	30-05-10-0821	MCI-DPS
39	1999	30-05-10-0835	UST
40	1999	30-05-10-0836	Ren Carvel
41	1999	30-05-10-0837	JP 5/6
42	1999	30-05-10-0838	Bridgehouse
43	1999	30-05-10-0840	Sussex Vet
44	1999	30-05-10-0841	Campus Ren
45	1999	30-05-10-0842	NCC 16 Bed
46	1999	30-05-10-0844	WDSHAVN KRSE
47	1999	30-05-10-0845	BWCI Nursery
48	1999	30-05-10-0846	GEO DMV REPL
49	1999	30-05-10-0847	NCC Fire Mar
50	1999	30-05-10-0848	Suss Crthous
51	1999	30-05-10-0850	Prison Exp
52	1999	30-05-10-0851	VOP Centers
53	1996	30-05-10-6620	Enh Vault

1	1996	30-05-10-6627	Expn/Const
2	1997	30-05-10-6725	Smyrna Armory
3	1997	30-05-10-6726	NCC Fire Off
4	1997	30-05-10-6727	Fire Center
5	1998	30-05-10-6807	Campus Renewal
6	1998	30-05-10-6809	DEMA
7	1998	30-05-10-6812	Prison Const
8	1999	30-05-10-6912	Suss Crthse
9	1999	30-05-10-6914	Comegys
10	1999	30-05-10-6915	Prison Exp
11	1999	30-05-10-6916	VOP Cntrs
12	1999	30-05-10-6917	Troop2/DMV
13	1999	40-01-01-0197	MCI/Equip
14	1999	40-05-01-0802	Newport Boat Ramp
15	1995	40-06-02-0184	Brandy-Aqua
16	1999	40-06-02-0803	IR Marina
17	1999	40-06-02-0804	Park Rehab
18	1999	40-06-02-0805	De Sea WW
19	1999	40-06-02-0806	UST
20	1999	40-06-02-0810	Fox Pt Pier
21	1999	40-06-02-0811	De Aquat Cntr
22	1994	40-06-02-6413	Brandywine Aquatic Cntr
23	1996	40-06-02-6613	Aquatic Cntr
24	1997	40-06-02-6712	Park Rehab
25	1998	40-06-02-6812	Park Rehab
26	1999	40-06-04-0801	Wilm Prk MC
27	1997	40-06-02-6713	Aquatic Center
28	1991	40-06-04-6212	Aquatic Center
29	1992	40-06-04-6212	Park Dev
30	1999	40-07-02-0190	Dam Safety
31	1993	40-07-02-6313	Resrc C&D
32	1997	40-07-02-8001	Con &Res Dev
33	1999	40-08-01-0800	Swr Overflow
34	1992	40-08-01-6212	Little Mill
35	1999	45-01-01-0806	½ K Assess
36	1999	45-01-01-0810	Hel Purchase
37	1999	45-06-05-0899	COPS MORE
38	1999	65-01-01-0800	For MCI/EQ
39	1999	65-01-01-0801	Agcom/MCI EQ
40	1992	76-01-01-6213	MCI/EQUIP
41	1999	90-04-04-6912	Wilm Exp
42	1999	95-01-01-0840	Arch Bar
43	1999	95-01-01-0850	MCI Supp
44	1999	95-07-01-8022	DCET Wiring
45	1999	95-10-00-0831	Tech/Teacher
46	1995	95-13-00-6512	Elem School
47	1999	95-15-00-0831	Tech/Teacher
48	1999	95-15-00-0850	MCI Fund
49	1999	95-17-00-0831	Tech/Teacher
50	1994	95-17-00-6412	Brittingham
51	1999	95-18-00-0831	Tech/Teacher
52	1999	95-23-00-0831	Tech/Teacher
53	1999	95-23-00-0810	Admin Bldg

1	1999	95-29-00-0815	Cedar Ln El
2	1999	95-29-00-0831	Tech/Teacher
3	1999	95-29-00-0850	MCI Fund
4	1999	95-29-00-0811	Middle Renov
5	1999	95-29-00-0812	Redding Mid
6	1999	95-29-00-0813	Slvrlake El
7	1999	95-29-00-6913	Midtwn Mid
8	1999	95-29-00-6914	Redding Mid
9	1999	95-29-00-6915	Slvrlake El
10	1999	95-29-00-6916	Townsend El
11	1999	95-29-00-6917	Cedar Lane El
12	1999	95-31-00-0801	Tech Prep
13	1999	95-31-00-0810	Cupola Repl
14	1999	95-31-00-0831	Tech/Teacher
15	1999	95-31-00-6912	Cupola Replacement
16	1999	95-31-00-6913	Claymont El
17	1999	95-31-00-6914	Springer La
18	1999	95-31-00-6915	Harlan Elem
19	1999	95-31-00-0811	Claymont El
20	1999	95-31-00-0813	Harlan El
21	1999	95-32-00-0811	Ren Baltz
22	1999	95-32-00-0814	Ren Forest Oak
23	1999	95-32-00-0818	Marbrook
24	1999	95-32-00-0820	Rich/ILC
25	1999	95-32-00-0824	Telegraph
26	1999	95-32-00-0827	Wilm HS
27	1999	95-32-00-0830	Tech Ed EQ
28	1999	95-32-00-0831	Tech/Teacher
29	1999	95-32-00-6913	Baltz Ren
30	1999	95-32-00-6920	Marbrook
31	1999	95-32-00-6922	Rich Pk&ILC
32	1999	95-32-00-6926	Telegraph R
33	1999	95-32-00-6929	AI Dupont
34	1999	95-32-00-6932	Tech Ed
35	1997	95-33-00-0801	New Elem
36	1998	95-33-00-0801	Douglass
37	1997	95-33-00-0802	Christina
38	1998	95-33-00-0850	MCI Fund
39	1999	95-33-00-0831	Tech/Teacher
40	1991	95-33-00-6113	New Elem
41	1996	95-33-00-6612	Bancroft
42	1996	95-33-00-6614	Cobbs/Gauge
43	1996	95-33-00-6617	Glasgow Hi
44	1997	95-33-00-6712	Shue/Medill
45	1997	95-33-00-6713	Glasgow Elem
46	1997	95-33-00-6714	Christina High School
47	1997	95-33-00-6793	Arch Barrier
48	1998	95-33-00-6812	Stubbs
49	1998	95-33-00-6813	Bayard
50	1998	95-33-00-6814	Pyle
51	1998	95-33-00-6815	Douglass
52	1999	95-34-00-0831	Tech/Teacher
53	1999	95-35-00-0850	MCI Fund

1	1990	95-35-00-6062	MCI
2	1999	95-36-00-0831	Tech/Teacher
3	1999	95-37-00-0831	Tech/Teacher
4	1999	95-37-00-6912	Mid/Hisch
5	1999	95-38-00-0810	Marsh Win R
6	1999	95-38-00-0831	Tech/Teacher
7	1999	95-38-00-0812	Delcastle AC
8	1999	95-38-00-0813	Pln/Lnd Acq
9	1999	95-38-00-0850	MCI Fund
10	1999	95-38-00-6912	Marsh Win R
11	1999	95-38-00-6913	Delcastle A/C
12	1999	95-38-00-6914	Pln/Lnd Acq
13	1999	95-39-00-0801	Tech Prep
14	1999	95-39-00-0831	Tech/Teacher
15	1999	95-40-00-6912	VoTech Exp
16	1999	95-52-00-0172	Bush MCI
17	1999	95-60-00-0801	Autistic R

18 Section 12. Reversion of Twenty-First Century Fund Appropriations. On the effective date of
19 this Act, the State Treasurer shall transfer the remaining appropriation balances, not in excess of the
20 amounts listed below in the enumerated project accounts to the Twenty- First Century Fund of the State
21 of Delaware.

22			Authorized	Project
23	<u>Department, Agency , or Instrumentality</u>	<u>Vol. & Ch.</u>	<u>Appropriation Code</u>	<u>Amount</u>
24	Delaware Economic Development Office	71/150	10-03-03-8021	\$ 1,250,741
25	Department of Education	71/378	95-07-01-8022	<u>721,818</u>
26	<u>TOTAL</u>			<u>\$ 1,972,559</u>

27 Section 13. Twenty-First Century Fund Appropriations. The General Assembly hereby
28 authorizes the amount of Seven Million Nine Hundred Seventy Two Thousand Five Hundred Dollars
29 (\$7,972,500) to be paid out of Twenty-First Century Fund interest for projects so identified in the
30 Section 1 Addendum to this Act. It is the intent that the appropriation account shall be administered
31 through the Department of Finance. No funds shall be used for agency overhead or personnel-related
32 costs. Any unused authorization remaining in the Project Accounts on June 30, 2005 shall revert to the
33 Twenty-First Century Fund Account in the Department of Finance.

1	<u>Department, Agency or Instrumentality</u>	<u>Amount</u>
2	Department of Finance	
3	(Farmland Preservation)	\$5,000,000
4	Department of Education	
5	(Neighborhood Schools Planning)	<u>2,972,500</u>
6	Total	<u>\$7,972,500</u>

7 Section 14. Exxon Funds. It is the intent of the General Assembly that the monies appropriated
8 in this Act and funds authorized for minor capital improvements in any annual appropriation act may be
9 used to match Exxon funds for any purpose deemed appropriate by the State Energy Weatherization
10 Committee and so long as the purpose does not contradict the purposes set forth in the Section 1
11 Addendum of this Act.

12 Section 15. Reprogramming The sum of Nine Hundred Thousand Dollars (\$900,000) is hereby
13 deauthorized from the appropriation Prison Expansion (99-30-05-10-6916) authorized in 71 Del. Laws,
14 C. 378. These funds are hereby reauthorized for the following purpose as listed in the Section 1
15 Addendum to this Act:

16	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
17	Department of Administrative Services	
18	(DCC Maximum Security Construction)	<u>\$900,000</u>
19	Total	<u>\$900,000</u>

20 Section 16. Bond Authorization Reprogramming. The sum of Thirty Million Dollars
21 (\$30,000,000) is hereby deauthorized from the appropriation Public School Construction Bond Reserve
22 (01-95-01-01-7110) authorized in 72 Del. Laws, c. 489 and is hereby reauthorized for the following
23 purposes as listed in the Section 1 Addendum to this Act along with the sum of Thirteen Million Five
24 Hundred Seventy Eight Thousand Seven Hundred Dollars (\$13,578,700) local shares of school bonds:

1	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>		
2	Department of Education	\$30,000,000		
3			<u>Maximum</u>	
4	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
5	Colonial, Renovate Calvin R. McCullough			
6	Elementary (65/35)	\$5,337,500	\$2,874,000	\$8,211,500
7	Colonial, Renovate Gunning Bedford			
8	Middle (65/35)	4,000,000	2,153,800	6,153,800
9	Colonial, Renovate John G. Leach			
10	School (100% State)	2,789,000	0	2,789,000
11	Colonial, Renovate William Penn			
12	High (65/35)	4,000,000	2,153,800	6,153,800
13	Appoquinimink, Renovate Middletown			
14	Middle (71/29)	783,100	319,900	1,103,000
15	Appoquinimink, Construct 720 pupil			
16	Elementary (71/29)	1,000,000	408,500	1,408,500
17	Appoquinimink, Addition to District			
18	Office (71/29)	171,400	70,000	241,400
19	Appoquinimink, 400 pupil addition to			
20	Middletown High (71/29)	3,000,000	1,225,400	4,225,400
21	Brandywine, Renovate Harlan			
22	Elementary (60/40)	491,200	327,500	818,700
23	Brandywine, Renovate Mt. Pleasant			
24	Elementary (60/40)	540,000	360,000	900,000
25	Brandywine, Renovate Concord			
26	High(60/40)	1,493,100	995,400	2,488,500
27	Brandywine, Renovate Mt. Pleasant			
28	High (60/40)	1,855,300	1,236,900	3,092,200
29	Brandywine, Renovate Claymont			
30	Education Center(60/40)	289,400	192,900	482,300
31	Smyrna, Renovate Smyrna High (80/20)	3,000,000	750,000	3,750,000
32	Woodbridge, Construct 700 Pupil			
33	Middle School (71/29)	<u>1,250,000</u>	<u>510,600</u>	<u>1,760,600</u>
34				

1 TOTAL \$30,000,000 \$13,578,700 \$43,578,700

2 Section 17. Appropriation of Special Funds There is hereby appropriated the sum of One
3 Million Five Hundred Thousand Dollars (\$1,500,000) from the Bond Sale 181 account (01-12-05-03-
4 8570), One Million Eight Hundred Thousand Dollars (\$1,800,000) from the Bond Sale 182 account (00-
5 12-05-03-8571) and Five Hundred Thousand Dollars (\$500,000) from the Bond Sale 180 account (01-
6 12-05-03-8599), to the following departments in the following amounts for the purposes set for the in the
7 Section 1 Addendum of this Act. Any project funds remaining unexpended or unencumbered by June
8 30, 2004 shall revert to the General Fund of the State of Delaware.

9	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
10	Delaware Development Office	
11	(Riverfront Development Corporation)	\$3,300,000
12	Department of Administrative Services	
13	(Environmental Compliance)	<u>500,000</u>
14	Total	<u>\$3,800,000</u>

15 Section 18. General Fund Reprogramming (a) Notwithstanding the provisions of any other state
16 law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the
17 balances below from the following General Fund projects and reauthorizes the funds to the departments
18 listed in subsection (b) of this Section, according to the purposes in the Section 1 Addendum to this Act.
19 Subsection (b) also authorizes the issuance of Two Hundred Twenty Five Thousand Seven Hundred
20 Dollars (\$225,700) local share of school bonds.

21	<u>Department, Agency, or Instrumentality</u>	<u>Vol. & Ch.</u>	<u>Appropriation Code</u>	<u>Amount</u>
22	Office of the Budget	72/489	10-02-01-0815	\$ 150,000
23	Office of the Budget	71/378	10-02-01-0985	13,000
24	Office of the Budget	72/258	10-02-01-0813	400,000

1	Delaware Economic				
2	Development Office	72/489	10-03-03-0804	2,000,000	
3	Delaware Economic				
4	Development Office	69/386	10-03-03-0807	25,205	
5	Office of the State Treasurer	71/150	12-05-03-0800	1,429,583	
6	Department of State	69/386	20-01-01-0181	100,000	
7	Department of State	72/258	20-01-01-0804	2,000,000	
8	Department of State	71/150	20-06-01-0801	5,696	
9	Department of State	72/489	20-08-01-0813	300,000	
10	Department of State	72/489	20-08-01-0814	418,700	
11	Department of State	71/378	20-08-01-0803	36,050	
12	Department of Finance	71/150	25-01-01-0802	187,030	
13	Department of Administrative Services	72/489	30-05-10-0805	250,000	
14	Department of Administrative Services	72/395	30-05-10-0161	104,000	
15	Department of Administrative Services	72/489	30-05-10-0808	300,000	
16	Department of Administrative Services	72/489	30-05-10-0819	750,000	
17	Department of Administrative Services	72/258	30-05-10-0821	543,940	
18	Department of Administrative Services	72/489	30-05-10-0869	175,000	
19	Department of Administrative Services	72/489	30-05-10-0858	112,111	
20	Department of Administrative Services	72/489	30-05-10-0868	600,000	
21	Department of Administrative Services	71/378	30-05-10-0844	396,282	
22	Department of Administrative Services	71/150	30-05-10-0817	93,719	
23	Department of Administrative Services	72/258	30-05-10-0835	793,125	
24	Department of Administrative Services	71/378	30-05-10-0835	2,586	
25	Department of Administrative Services	72/489	30-05-10-0835	504,288	
26	Department of Administrative Services	71/378	30-05-10-0838	89,340	
27	Department of Administrative Services	72/258	30-05-10-0801	7,000,000	
28	Department of Administrative Services	72/489	30-05-10-0849	650,000	

1	Department of Administrative Services	72/489	30-05-10-0867	2,300,600
2	Department of Administrative Services	72/489	30-05-10-0836	980,000
3	Department of Environmental Resources	72/258	40-05-01-0803	43,123
4	& Environmental Control			
5	Department of Environmental Resources	72/489	40-06-02-0802	25,000
6	& Environmental Control			
7	Department of Environmental Resources	72/489	40-06-02-0804	55,000
8	& Environmental Control			
9	Department of Environmental Resources	72/489	40-06-02-0815	50,000
10	& Environmental Control			
11	Department of Environmental Resources	71/378	40-06-02-0810	86,800
12	& Environmental Control			
13	Department of Environmental Resources	72/258	40-06-02-0814	6,000
14	& Environmental Control			
15	Department of Environmental Resources	72/489	40-09-01-0802	500,000
16	& Environmental Control			
17	Department of Public Safety	72/489	45-01-01-0802	377,474
18	Department of Public Safety	71/378	45-01-01-0810	319
19	Department of Public Safety	72/258	45-06-01-0810	238,000
20	Department of Public Safety	72/258	45-06-01-0812	639
21	Department of Agriculture	71/378	65-01-01-0800	968
22	Department of Agriculture	71/378	65-01-01-0801	59,500
23	Department of Education	72/489	95-38-00-0809	<u>2,000,000</u>
24	<u>TOTAL</u>			<u>\$26,153,078</u>

25

26	(b) <u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
27	Office of the Budget	\$13,000,000
28	Delaware Economic Development Office	450,000
29	Department of State	11,500
30	Department of Administrative Services	2,345,000

1	Department of Natural Resources and Environmental Control	5,375,000
2	Department of Public Safety	613,000
3	Department of Agriculture	675,000
4	Fire Prevention Commission	135,000
5	Delaware Technical and Community College	1,380,000
6	Department of Education	<u>2,125,300</u>

7	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
8	School Facilities Assessment (100% State)	\$444,500	\$0	\$444,500
9	Capital, Demolish District Office (67/33)	458,300	225,700	684,000
10	Consortium for Tech Prep	325,000	0	325,000
11	Programs (100% State)			
12	Delaware Skills Center (100% State)	150,000	0	150,000
13	Absolom Jones Center (100% State)	500,000	0	500,000
14	School Library Resources (100% State)	220,000	0	220,000
15	Neighborhood Schools Planning	<u>27,500</u>	<u>0</u>	<u>27,500</u>
16		\$2,125,300	\$225,700	\$2,351,000
17	Total			<u>\$26,109,800</u>

18 Section 19. Local Police Technology Amend 72 Del. Laws, c. 489, § 28; 72 Del. Laws, c.258,
19 § 34 and 71 Del. Laws, c. 355, § 32 by deleting the word “authorized” as it appears therein and
20 substituting in lieu thereof the word “actual”.

21 Section 20. Delaware v. New York Supreme Court Decision. The Secretary of Finance shall be
22 authorized to make payments to intervenors pursuant to the settlement agreement in the Delaware v.
23 New York Supreme Court decision in the amount of Three Million Three Hundred Thousand Dollars
24 (\$3,300,000) due January 31, 2003, and in the amount of Seventeen Million Seven Hundred Thousand
25 Dollars (\$17,700,000) due January 31, 2004.

1 Section 21. Educational Technology. Without approval of the Co-Chairs of the Joint Legislative
2 Committee on the Capital Improvement Program, the Secretary of Finance, and the Budget Director, no
3 expenditures other than for completing a capital program of creating an Educational Technology wiring
4 network encompassing every public school in the State shall be made by the Delaware Center for
5 Educational Technology from the Educational Technology Account or from any other sources of funding
6 including, but not limited to, governmental or private grant funds, until the Strategic Plan required under
7 the provisions of 29 Del. C. §6102A(j)(4) shall have been approved by the Joint Legislative Committee
8 on the Capital Improvement Program, provided, however, that nothing contained herein shall preclude the
9 expenditure of grant funds specifically targeted or restricted by the granting agency for the purposes of
10 providing hardware or software in the classroom, distance learning programs, staff development programs
11 related to technology implementation, or school to home networking connections.

12 Section 22. Delaware Center for Educational Technology. The Delaware Center for Educational
13 Technology is prohibited from establishing or maintaining State supported e-mail addresses for public
14 school students except as may be deemed necessary by the local school district. This Section shall not
15 preclude local school districts from providing student access to e-mail with local discretionary funds
16 either through their own e-mail server or through a contract with the Office of Telecommunications
17 Management (OTM).

18 Section 23. Resource, Conservation and Development Transfers - Project Funds Transfer from
19 Prior Fiscal Years to Fiscal Year 2002. Within the same county, any Twenty-First Century funds or match
20 remaining from complete projects as authorized as part of the Twenty-First Century Resource,
21 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for
22 RCD projects in the FY 2002 list of projects approved as part of the FY 2002 Capital Improvement Act.

23 Section 24. Resource, Conservation and Development. The Section 1 Addendum to this Act
24 appropriates \$5,000,000 to Resource, Conservation and Development. This appropriation shall be used to
25 complete the list of prioritized projects as approved by the Joint Legislative Committee on the Capital

1 Improvement Program in prior fiscal years. Additionally, the Joint Legislative Committee on the Capital
2 Improvement Program hereby approves the Fiscal Year 2002 prioritized list. Such list may be funded
3 from prior-year transfers per Section 23 of this Act or other funds available as designated by respective
4 Legislators from suburban street or other funds available to supplement Resource, Conservation and
5 Development appropriations.

6 Section 25. Notification. The Budget Director and Controller General shall notify affected state
7 agencies and other instrumentalities of the State as to certain relevant provisions of this Act.
8 Additionally, the Budget Director and Controller General shall notify the President Pro Tempore of the
9 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.

1 Section 30. Port of Wilmington. If the Governor and the Delaware Economic Development
2 Office, at the direction of the Board of Directors of the Diamond State Port Corporation, request that the
3 Delaware River and Bay Authority fund the acquisition of real property and improvements for the
4 expansion of Port of Wilmington pursuant to the Compact (17 Del. C. § 1701) and applicable statutory
5 requirements, and if any such project is undertaken and funded by the Delaware River and Bay
6 Authority, then such project is hereby authorized and approved by this Act.

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

16 Section 32. Rivers Fund. Funds appropriated for Riverfront Development Corporation shall be
17 distributed directly to the “Brandywine-Christina Rivers Improvement Fund” established in 70, Del.
18 Laws, hereinafter referred to as the “Rivers Fund”. The Rivers Fund shall be invested by the State
19 Treasurer in securities consistent with the policies established by the Cash Management Policy Board.
20 All monies generated by the said Fund shall be deposited thereto. Not more than \$500,000 of interest
21 income from the Rivers Fund shall be used for operating expenses for the fiscal year ending June 30,
22 2002.

23 Section 33. DeBraak. The Delaware Economic Development Office is authorized to enter into a
24 public/private partnership to study the feasibility of constructing a replica of the DeBraak to be located in

1 Lewes. The Delaware Economic Development Office may provide up to \$20,000 as a match for the
2 study.

3 Section 34. Biotechnology Institute. The Section 1 Addendum to this Act appropriates
4 \$2,500,000 to the Delaware Economic Development Office for Biotechnology Institute. These funds are
5 intended to demonstrate the state's commitment toward efforts in the life sciences through the support of
6 the Delaware Biotechnology Institute.

7 The Delaware Biotechnology Institute will serve as the catalyst in uniting state, industry and
8 higher education resources in developing new research and development oriented, commercially driven
9 partnerships in the life sciences. These partnerships will be a key element of an overall technology-based
10 economic development strategy for the State. It is expected that the development of the life sciences
11 industry in Delaware will have multiple economic development benefits including enhancing global
12 competitiveness, increasing the diversity of the state's economic base, creating high quality jobs and
13 developing a high level of technical competence in Delaware's workforce. In addition, this development
14 will strengthen the research and technology transfer capabilities of the University of Delaware, Delaware
15 State University and Delaware Technical and Community College.

16 The funds appropriated herein are intended to attract and support key faculty members
17 conducting research at the Institute. Funds may be targeted toward equipping and developing research
18 laboratories. The Institute is encouraged to use the state funds appropriated herein to leverage private
19 funding as appropriate. The Institute shall report to the Co-Chairs of the Joint Legislative Committee on
20 Capital Improvements by April 30, 2002, as to the expenditures of this appropriation.

21 Section 35. Delaware River and Bay Authority Acquisition and Development. If the Governor
22 and the Delaware Department of Natural Resources and Environmental Control ("DNREC") request that
23 the Delaware River and Bay Authority acquire and develop real property and improvements for the
24 purpose of shoreline preservation and development (including, without limitation, wetlands and open-land
25 acquisition, active recreational and park development or facilities of commerce) along or in proximity to

1 the shoreline of the Delaware Bay and inland waters, or tributaries flowing into the Delaware Bay in the
2 vicinity of Cape Henlopen State park (excluding lands owned by the State of Delaware, east of the Lewes
3 and Rehoboth Canal) pursuant to the Compact (17 Del. C. § 1701 et. seq.) and the applicable statutory
4 requirements, and if any such project is undertaken and funded by the Delaware River and Bay Authority
5 after written approval by the Governor, then such project is hereby authorized and approved by this
6 legislation. Any conveyance of real property and improvements owned by the State of Delaware pursuant
7 to the foregoing authority shall be exempt from the provisions of 29 Del. C. c. 94 and 7 Del. C. c. 45, and
8 the Governor or the Secretary of DNREC is hereby authorized to execute and deliver to the Delaware
9 River and Bay Authority a deed to such real property and improvements.

10 Section 36. AstraZeneca. Of the amounts appropriated to the Department of Transportation in
11 this Act and listed in the Section 1 Addendum of this Act, sufficient funds are available for
12 reimbursement to the Delaware Economic Development Office (DEDO) for certain rights-of-way for
13 transportation improvements related to the AstraZeneca Project (Project). The Department is authorized
14 to reimburse DEDO for the cost of such lands needed solely for such transportation improvements,
15 subject to compliance with all necessary federal regulations that limit the timing of such expenditures by
16 the Department. The per acre cost to DEDO for all the lands DEDO acquires for this Project shall be
17 used as the per acre charge to the Department for such reimbursement. Other acreage acquired by DEDO
18 for this Project needed for area-wide stormwater management improvements, wetlands mitigation, and/or
19 historic preservation regulatory compliance, shall be made available to the Department without cost for its
20 use in constructing such improvements, facilities, and/or complying with historic preservation
21 regulations, under a cost-sharing arrangement agreed to by the state agencies involved in this Project.

22 Section 37. DRBA – Industrial Facility. For the purpose of complying with the provisions of 17
23 Del. C. §1726, requiring the Delaware River and Bay Authority to secure the approval of the General
24 Assembly by an act passed with the concurrence of three-fourths of all the members elected to each
25 House before undertaking any major project (as defined in Article II of the Delaware-New Jersey

1 Compact as set forth in 17 Del. C. §1701), the Delaware River and Bay Authority is hereby authorized
2 pursuant to the procedures set forth in the Compact and applicable statutory requirements, if requested by
3 the Governor and the Delaware Economic Development Office, to acquire the real property,
4 improvements, and related facilities of an industrial property situate at 618 Lambsons Lane, New Castle,
5 Delaware and such project shall be considered a project of the Authority as defined in Article II of the
6 Compact.

7 Section 38. DRBA-DeBraak. For the purpose of complying with the provisions of 17 Del. C.
8 §1726, requiring the Delaware River and Bay Authority to secure the approval of the General Assembly
9 by an act passed with the concurrence of three-fourth of all the members elected to each House before
10 undertaking any major project (as defined in Article II of the Delaware-New Jersey Compact as set forth
11 in 17 Del. C. §1701), the Delaware River and Bay Authority is hereby authorized pursuant to the
12 procedures set forth in the Compact and applicable statutory requirements, if requested by the Governor
13 and the Delaware Economic Development Office, to engage in a project involving the restoration and
14 display of the DeBraak artifacts and such project shall be considered a project of the Authority as defined
15 in Article II of the Compact.

16 Section 39. Fraunhofer I USA. The Section 1 addendum of this Act appropriates \$450,000 to
17 Fraunhofer USA for research in manufacturing techniques and advanced materials. The transfer of these
18 funds by the Delaware Economic Development Office (DEDO) is contingent upon a signed agreement
19 outlining how Fraunhofer USA will provide a required one State to one non-State dollar match and what
20 type of work will be performed in the Molecular Biotechnology Center.

21 Section 40. Fraunhofer II USA. The Delaware Economic Development Office (DEDO) shall use
22 up to \$985,500 in appropriation 25-01-01-8609 Adv Tech funds to support the development and
23 operations of the Fraunhofer Molecular Biotechnology Center operated by Fraunhofer USA, Inc. The
24 transfer of these funds by DEDO to Fraunhofer USA is contingent upon a signed agreement outlining

1 how Fraunhofer USA will provide a required one State to one non-State dollar match and what type of
2 work will be performed in the Molecular Biotechnology Center.

3 Section 41. DSU High Technology Incubator. The Section 1 Addendum to this Act appropriates
4 \$1,800,000 to the Delaware Economic Development Office for the Delaware State University High
5 Technology Incubator. This appropriation shall provide for the planning, design and initial construction
6 of a 40,000 ft² shell.

7 Section 42. Amend 70 Del. Laws, c. 210, §41 by deleting the words "the Governor" as they
8 appear on line 1038 therein and inserting in lieu thereof the words "the Governor or his/her designee".

9 Section 43. Kalmar Nyckel. Until such time as all loans receivable by the Riverfront
10 Development Corporation of Delaware from the Kalmar Nyckel Foundation are paid in full to the
11 satisfaction of the Riverfront Development Corporation, the scheduling of the Kalmar Nyckel by non-
12 State entities shall require the approval of the Riverfront Development Corporation. Further, the
13 Riverfront Development Corporation is encouraged to enter into negotiations with interested parties to
14 review the disposition of loans to the Kalmar Nyckel.

15 Section 44. DRBA - Route 1 in Rehoboth Beach. For the purpose of complying with the
16 provisions of 17 Del. C. §1726, requiring the Delaware River and Bay Authority to secure the approval of
17 the General Assembly by an act passed with the concurrence of three-fourth of all the members elected to
18 each House before undertaking any major project (as defined in Article II of the Delaware-New Jersey
19 Compact as set forth in 17 Del. C. §1701), the Delaware River and Bay Authority is hereby authorized
20 pursuant to the procedures set forth in the Compact and applicable statutory requirements, if requested by
21 the Governor and the Delaware Economic Development Office, to engage in a project involving the
22 funding of the purchase of certain property located on Route 1 in Rehoboth Beach for the purpose of
23 building a combined use facility to be utilized as a visitor center , museum, and meeting space.

1 **DEPARTMENT OF STATE**

2 Section 45. 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 46. 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 47. 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 serves the
21 security needs of the site. The design, materials and construction of said fence shall be approved in
22 advance by the Board of Directors of the Friends of the Fenwick Island Lighthouse, Inc.

23 Section 48. Riverfront Development Corporation Promotions. The Riverfront Development
24 Corporation is prohibited from including political profiles and statements of a political or partisan nature

1 in any advertisements or literature used to promote a cultural or recreational event being sponsored by the
2 Corporation.

3 Section 49. Veterans Cemetery-NCC. The Section 1 Addendum of this Act appropriates
4 \$725,000 to the Department of Administrative Services for the Veterans Cemetery – New Castle County.
5 The federal government will reimburse the State one hundred percent of the funds expended for the
6 planning and design of the expansion of the Veterans Cemetery – New Castle County. The funds
7 received as reimbursement from the federal government shall be deposited into the State Treasurer’s
8 Bond Reversion Account (94-12-05-8101) for re-appropriation by the Joint Legislative Committee on
9 Capital Improvements.

10 Section 50. Amend 29 Del. C. §8735(b) by deleting said subsection in its entirety and inserting a
11 new §8735(b) to read as follows:

12 "(b) The Corporation shall be governed by a board of directors consisting of 11 members, all of
13 whom shall be residents of this State. Five of these directors shall be (i) the Secretary of State, (ii) the
14 Secretary of Transportation, (iii) the Director of the Delaware Economic Development Office, (iv) the
15 Secretary of Finance, and (v) the Controller General. The Governor shall appoint the Chair from among
16 the 4 cabinet directors and the Chair shall serve at the pleasure of the Governor. The Chair shall be
17 subject to the advice and consent of the Senate; however, such consent shall be limited to the additional
18 duties of the Chair of this Corporation and not impact the prior confirmation as Cabinet Secretary. The
19 remaining 6 directors shall be appointed by the Governor with the advice and consent of the Senate.
20 These 6 directors shall consist of individuals from the private or public business sectors and organized
21 labor familiar with port and economic development issues. There shall be at least 1 director from each of
22 the 3 counties of the State, at least 1 director from the City of Wilmington and 2 directors who shall fill
23 at-large positions on the Board. Of these 6 directors no more than 3 shall be registered in the same major
24 political party. The terms of the original of these 6 such directors shall be as follows: Two directors to
25 serve for 1 year; 2 directors to serve for 2 years; and 2 directors to serve for 3 years. Upon expiration of
26 the terms of the original directors, the term of each director appointed thereafter shall be 3 years."

1 Section 51. Amend 29 Del. C. §8735(d) by deleting said subsection in its entirety and inserting a
2 new §8735(d) to read as follows:

3 "(d) For purposes of conducting business of the Corporation, 6 directors shall constitute a
4 quorum, except as otherwise provided. A vote of 6 members shall be required for action on any matter
5 before the Corporation, except as otherwise provided herein."

6 Section 52. Newark Free Library. Amend 70 Del Laws, c. 473, Section 1 Addendum by deleting
7 the words "Newark Public Library Land Acquisition" as they appear on page A-1 and inserting in lieu
8 thereof the words "Newark Free Library".

9 Section 53. Amend 72 Del. Laws, c. 489, §57 by deleting said section in its entirety and
10 substituting in lieu thereof the following:

11 "Section 57. *Debraak* Collection. The Section 1 Addendum to this Act appropriates
12 \$290,600 to the Department of State for the conservation and curation of the *Debraak* collection
13 and represents 50% of the total project cost. The remaining 50% may be matched by the
14 Delaware River and Bay Authority (DRBA). Such DRBA funding shall permit the *Debraak*
15 collection to be exhibited at DRBA facilities at times and places agreed upon by the Secretary of
16 State and the DRBA Director."

17 Section 54. Legislative Hall Display Cases. The Section 1 Addendum to this Act appropriates
18 \$45,000 to the Department of State, Division of Historical and Cultural Affairs (20-06-00) for Legislative
19 Hall Display Cases. These display cases shall be installed in the alcove behind the central stair case and
20 shall meet the requirements stipulated by the Director of the Division of Historical and Cultural and the
21 State Archivist as they relate to security and preservation. State Museums and State Archives shall each
22 use one display case to show items of interest to the general public from their respective collections.
23 Such items shall be rotated on a periodic basis and convey the rich history of the State of Delaware as
24 explained through artifacts and documents.

1 Section 55. Minor Capital Improvement and Equipment. The Section 1 Addendum to this Act
2 appropriates \$250,000 to the Department of Administrative Services for Minor Capital Improvements and
3 Equipment. From this appropriation, the following shall be allocated for the following purposes:

4	Revolutionary War Marker - Princeton/Trenton	\$7,500
5	Revolutionary War Marker - Brandywine/Germantown	\$2,500

1 **DEPARTMENT OF FINANCE**

2 Section 56. 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 to
5 finance the costs of specific capital projects, it is the intent of the General Assembly that the interest on
6 such bonds shall not be included in gross income for federal income tax purposes under Section 103 of
7 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 57. Advance Money. Amend 29 Del. C. § 7414 (b), by deleting the reference to
2 “\$40,000,000” in the second sentence thereof and substituting in lieu thereof the following “the greater of
3 three percent of General Fund revenues for the coming Fiscal Year, as determined by the Delaware
4 Economic and Financial Advisory Council or \$60,000,000.”

5 Section 58. Private Activity Bond Cap Allocation. Amend 29 Del. C. § 5091 (a) by deleting in
6 its entirety and adding in subsection (a) in lieu thereof as follows:

7 “(a) The state ceiling applicable to the State for each calendar year is hereby allocated, and the
8 volume cap for the state and local government issuers for each calendar year shall be, as follows:

	Annual Volume Cap
10 State	50.0 Percent
11 New Castle County	17.5 Percent
12 City of Wilmington	12.5 Percent
13 Kent County	10.0 Percent
14 Sussex County	10.0 Percent

15 In allocating the volume cap for state and local government issuers, the dollar amount of the
16 allocation shall be rounded to the nearest \$5,000 such that the allocation most closely
17 approximates the percent allocation contained herein.”

18 And further amend 29, Del. C. § 5091 (b) by deleting in its entirety and adding in its place a new
19 subsection § 5091 (b) in lieu thereof as follows:

20 “(b) The entire volume cap of the State for each calendar year shall be retained by the State for
21 future allocation by the Governor among the Delaware State Housing Authority and the other
22 governmental issuers within the State.”

23 Section 59. Qualified Zone Academy Bonds. A portion of the general obligation bonds
24 authorized under this Act for a school construction project may be issued in the form of "Qualified Zone
25 Academy Bonds" within the meaning of the federal Taxpayer Relief Act of 1997(the "QZABs"). Such
26 portion shall be equal to the maximum amount of QZABs which may be issued under such act. The

1 Secretary of Finance is hereby authorized to determine the terms and conditions of the QZABs and the
2 manner by which they shall be awarded to the purchasers thereof (including by private negotiated sale),
3 notwithstanding anything to the contrary contained in Chapter 74 of Title 29 of the Delaware Code;
4 provided that the requirements of 29 Del. C. § 7422 must be observed.

1 **DEPARTMENT OF ADMINISTRATIVE SERVICES**

2 Section 60. Construction Management. (a) Notwithstanding any other state law, the
3 Department of Administrative Services ("Department") shall be responsible for the design and
4 construction of all the projects listed under "Department of Administrative Services" in the Section 1
5 Addendum of this Act. For those projects that are solely for the purchase of equipment, including
6 projects that are funded in any "MCI and Equipment" line, or any "MCI" line, the Department shall
7 transfer the appropriate amount of funding necessary to purchase the equipment to the agency for which
8 the equipment is being purchased. The appropriate amount of funding shall be determined and agreed to
9 by the Department and the agency for which the equipment is being purchased by August 1, 2001. For
10 those projects for which the appropriation is passed to an entity and for which the state is not a party to
11 the construction contract, the Department shall provide technical assistance.

12 (b) 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 completed by the Appeals Board. One year after a
17 project is deemed "substantially complete," any unencumbered authorization balance shall revert. In no
18 case shall this Section empower the Appeals Board to allow for the expenditure of funds for uses other
19 than for 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 (c) Use of Minor Capital Improvement and Equipment funds in order to ensure completion of a
22 Major Capital Improvement project involving construction of a new facility is prohibited. This
23 subsection shall not apply to the project consolidating J.P. Court Nos. 5 and 6 into a court facility in
24 Houston, Delaware. Notwithstanding the provisions of 29 Del. C. Chapter 94, the Department of

1 Administrative Services is authorized to negotiate the sale of the current Court 5 facility, with the
2 proceeds to be applied to offset the expenses associated with the consolidation of Courts No. 5 and 6.

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

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

9 Section 61. Minor Capital Improvements and Equipment Supplement - Department of
10 Administrative Services. Notwithstanding the provisions of any other State law to the contrary, not
11 more than \$200,000 may be expended to enter into contractual agreements for project representatives
12 and associated administrative support to ensure adequate oversight of State construction projects. The
13 Secretary of Administrative Services is directed to provide an itemized budget for this amount to the
14 Controller General by August 1, 2001, and expenditure reports to the Controller General by December 1,
15 2001 and June 1, 2002.

16 Section 62. New Castle County Courthouse. Notwithstanding any law or local governmental
17 ordinance, resolution, or any deed restrictions to the contrary, the Secretary of Administrative Services
18 shall designate the name of any state-owned or state-operated courthouse or other judicial building or
19 facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
20 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
21 any statues or memorials in or on the grounds of such courthouse or judicial building of facility.

22 Section 63. Prison Construction – Delaware Correctional Center. In the course of major or minor
23 capital improvement projects at the Delaware Correctional Center, the Department of Administrative
24 Services shall apply for all permits and approvals required pursuant to any applicable provision of 9 and
25 22 Del. C. or any ordinance, rule or regulation enacted pursuant thereto; provided, however, that any such

1 permit or approval shall be granted within 45 days from the day upon which the Department makes
2 application for the same. If any required approval or permit is not granted within 45 days as set forth
3 above, the Department may commence construction and shall be relieved of any future liability for
4 obtaining such approval or permit.

5 Section 64. Troop 2 Property. The Section 1 Addendum of this Act authorizes funding to
6 construct a new State Police Troop 2. During Fiscal Year 2002, the Department of Public Safety may not
7 declare any portion of the parcel of land occupied by the current Troop 2 as surplus property.

8 Section 65. Veterans Cemetery-Sussex. For the Fiscal Year ending June 30, 2001, any funds that
9 remain unencumbered in the Department of Administrative Services, Facilities Management, Fiscal Year
10 1999 appropriation (30-05-10-0840) shall not revert until June 30, 2002. These funds shall be used for
11 general enhancements to the Sussex County Veterans Cemetery.

12 Section 66. Stockley Center Master Plan. For the Fiscal Year ending June 30, 2001, any funds
13 that remain unencumbered in the Department of Administrative Services, Facilities Management,
14 Fiscal Year 2000 appropriation (30-05-10-0851) shall not revert until June 30, 2002. These funds shall be
15 used to complete a Stockley Center Facilities Master Plan.

16 Section 67. State Infrastructure Reinvestment Plan. It is the intent of the General Assembly that
17 \$4,475,000 allocated in the Section 1 Addendum of this Act to the Department of Administrative Services
18 to complete renovations on various state projects. Funds shall be allocated in the following amounts:

19	<u>Purpose</u>	<u>Amount</u>
20	Buena Vista Renovations	\$ 575,000
21	William Penn Building	\$2,000,000
22	New Castle County - Department of Motor Vehicle	\$1,500,000
23	Judicial MCI	\$ 150,000
24	State MCI & Equipment	\$ 250,000

1 Of the \$4,475,000 allocated to the State Infrastructure Reinvestment Plan, up to \$1,000,000 shall
2 be dedicated from Stripper Well Funds (30-05-10-8401) and the PVE Fund (30-05-10-8405) in order to
3 fund the energy related portions of the projects listed above. It is the intent of the General Assembly that
4 whenever possible, these funds shall be used for energy related portions of projects listed in the Section 1
5 addendum to this Act.

6 Section 68. New Castle County Courthouse Equipment. The Section 1 Addendum to this Act
7 appropriates \$2,500,000 to the Department of Administrative Services for equipment for the New Castle
8 County Courthouse. Prior to the expenditure of any of these funds, the Secretary of the Department of
9 Administrative Services and the Chief Justice shall mutually develop and provide an itemized budget
10 recommending the expenditure of these funds for approval by the Controller General and the Budget
11 Director.

1 **DEPARTMENT OF CORRECTION**

2 Section 69. 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 70. 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.

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

2 Section 71. 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 72. 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 73. 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

1 by the Department of Natural Resources and Environmental Control without prior approval of the Co-
2 Chairs of the Joint Legislative Committee on the Capital Improvement Program provided, however, that
3 the department is not prohibited from conducting studies, surveys or other contractual arrangements that
4 would normally precede land acquisition procedures.

5 Section 74. Land and Water Conservation Trust Fund Interest. Of the interest monies generated
6 on the principal deposited in the Land and Water Conservation Trust Fund before 1995, no more than
7 \$40,000 may be spent for the combined administrative costs of the Open Space Council and the Council
8 on Greenways and Trails.

9 Section 75. Amend 70 Del. Laws, c. 473, § 57 by deleting the last sentence of said section in its
10 entirety.

11 Section 76. Open Space Match Requirements. Notwithstanding the provisions of 29 Del. Code,
12 §6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of
13 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby
14 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land
15 purchase if it can be demonstrated that meeting said match requirements would prevent the timely
16 purchase of said parcel.

17 Section 77. South Park Drive Beautification. For the Fiscal Year ending June 30, 2001, of the
18 funds remaining in the Department of Natural Resources and Environmental Control, Parks and
19 Recreation, appropriation 40-06-02-08-11 De/Wilm Parks, \$150,000 shall be used for the beautification
20 of South Park Drive in Brandywine State Park. Beautification projects shall include but not be limited to,
21 removal of invasive species, new plantings of trees and shrubs, upgrading of trails and related site
22 amenities.

23 Section 78. Army Corps of Engineers Project Cooperation Agreements. By using funds
24 approved by Bond and Capital Improvements Acts, the Secretary of the Department of Natural Resources
25 and Environmental Control is authorized to sign Project Cooperation Agreements with the Department of

1 the Army and other appropriate sponsors for planning, construction, operation and maintenance for
2 projects entered into by said Agreements.

3 Section 79. Energy Office Transfer. Contingent upon passage of Senate Bill No. 235 of the 141st
4 General Assembly or similar legislation, the State Energy Office will be transferred to the Department of
5 Natural Resources and Environmental Control. Any unencumbered funds in the Energy Efficiency
6 Program appropriated in prior Bond and Capital Improvement Acts will be transferred from the
7 Department of Administrative Services to the Department of Natural Resources and Environmental
8 Control.

9 Section 80. Amend 70 Del. Laws, c. 473, §57 by deleting the paragraph beginning with the
10 words "Before entering" and ending with the words "Controller General" as they appear following
11 subsection (c) of said section and inserting in lieu thereof the following:

12 "Before entering into any contractual agreement for construction and operation of the facility,
13 DNREC shall hold a public hearing outlining the proposal to the affected community. After such hearing
14 the Secretary of DNREC shall submit such proposal for approval by the Co-Chairs of the Joint
15 Legislative Committee on the Capital Improvement Program, the Budget Director and the Controller
16 General."

17 Section 81. Indian River Inlet Marina. The Department of Natural Resources and Environmental
18 Control may continue to plan for a possible long term contractual arrangement with respect to the
19 development, construction, and/or operation of the facilities and grounds associated with the Indian River
20 Inlet Marina at the Delaware Seashore State Park. The Department in consultation with the Budget
21 Director and the Secretary of Finance shall report to the Joint Legislative Committee on the Capital
22 Improvement Program by January 31, 2002 as to the viability of such long term contractual arrangement.

1 **DEPARTMENT OF PUBLIC SAFETY**

2 Section 82. Helicopter Sale. During the Fiscal Year ending June 30, 2002, any funds remaining
3 from the sale of a Bell helicopter by the State Police Aviation unit (45-06-06) shall be retained by the
4 Department and used to support the following enhancement projects to the rotor and fixed wing sections
5 of the State Police Aviation Unit:

- 6 1) Standardize and upgrade navigational instrumentation
- 7 2) Upgrade avionics package for fixed wing aircraft
- 8 3) Upgrade interior for fixed wing aircraft
- 9 4) Portable auxiliary power units for Aviation North and Aviation South
- 10 5) Spare aircraft battery
- 11 6) Life port stretcher for N97SP and N407SP
- 12 7) Replace tug at Aviation North facility.

13 Section 83. Amend 29 Del. C. §6404A(a) by deleting said subsection in its entirety and inserting
14 a new subsection (a) to read as follows:

15 "(a) The State Police shall have the primary authority to enforce traffic laws on limited access
16 highways, including but not limited to Route 1, Route 141 and the Puncheon Run Connector from Route
17 1 to Route 13, within municipalities in the State unless the State Police have, by specific signed
18 agreement, authorized another jurisdiction to enforce traffic laws on a limited access highway."

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 84. 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 \$360,202,000 (State
6 \$235,857,000; federal \$120,531,000; other \$3,814,000) 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 \$86,700,000 pursuant to the provisions of 2 Del. C. chapters 13 and 14, of which
12 not more than \$83,000,000 shall be used for purposes set forth in the Section 1 Addendum of this Act
13 with the remainder, not to exceed \$3,700,000, to be used to fund issuance costs and necessary reserves for
14 the Reserve Account.

15 (c) Reauthorization of Previous Fund Balances. Of the \$360,202,000 authorized in subsection
16 (a) above, the sum of \$1,728,000 (State) for newly authorized projects within the Road System
17 classification shall be funded from previously authorized, but unexpended balances in the following
18 accounts:

<u>Deauthorize</u>	<u>Amount</u>
Advanced R/W & Corridor Preservation (59/00)	\$110,108
Advanced Planning (60/00)	\$126,263
Control Devices (61/00)	\$13,562
Dirt Roads (62/00)	\$2,180
Safety & Intersection Improvements (63/00)	\$74,440
Pave & Rehabilitation (64/00)	\$93,520
Bridge Placement & Rehabilitation (65/00)	\$482,024

1	Public Transit Improvements (73/00)	\$252,874
2	System Preservation (75/00)	\$573,029
3	<u>Reauthorize</u>	<u>Amount</u>
4	Road System (WW/00)	\$1,728,000

5 (d) New System Nomenclature. It is the intent of the General Assembly that the Department
6 immediately reorganize and rename its programs and projects to comply with the appropriations language
7 contained in the Section 1 Addendum of this Act. Commencing with the appropriations and
8 authorizations for FY 2002, the Department shall use the following four general classifications for its
9 work:

- 10 Road System (WW/00)
- 11 Grants and Allocations (XX/00)
- 12 Transit System (YY/00)
- 13 Support System (ZZ/00)

14 The Department is hereby authorized and directed to make all necessary changes in its internal
15 accounting systems in order to implement these changes in a timely manner. The Secretary of the
16 Department is authorized to allocate all previously authorized projects (including all balances included
17 therein) to the new categories, and to carry out such reconciliations of existing fund balances as may be
18 needed to prepare the new accounting structure. The Department shall report to the Controller General
19 and the Budget Director not later than December 31, 2001 on the results of this re-structuring.

20 (e) New Program Designation. In recognition of the broader transportation uses now demanded
21 by the citizens of Delaware, the General Assembly hereby establishes a new program to be known as the
22 Community Transportation Fund, which will be part of the Grants and Allocations (XX/00) authorization
23 identified in subsection (d) above. All previously appropriated funds from the Suburban Streets Program
24 shall be immediately transferred to new accounts within the Community Transportation Fund. The
25 Secretary of the Department shall prepare a report for the Controller General and the Budget Director not
26 later than August 31, 2001 on the status of all fund balances within the former Suburban Streets Program
27 and shall clearly identify those remaining balances, together with new FY 2002 appropriations, which

1 have been transferred to the new Community Transportation Fund. In conjunction with this new
2 program, the General Assembly hereby amends the following portions of the Delaware Code:

3 (1) Amend 2 Del. C. by deleting the phrase “Suburban Street Program” wherever it may appear
4 therein and replacing it with the phrase “Community Transportation Fund”.

5 (2) Amend 29 Del. C. Chapters 61A and 64A by deleting the phrase “Suburban Street Program”
6 wherever it may appear therein and replacing it with the phrase “Community Transportation
7 Fund”, and further by deleting the numerical description “(56/00)” wherever it may appear
8 therein and replacing it with the numerical description “(XX/00)”.

9 (3) Amend 29 Del. C. §6405A(f)(1) by deleting the phrase “System Preservation” and replacing
10 it with “Transit System”.

11 (4) Amend 29 Del. C. §6405A(b) and (c) by deleting the phrase “System Preservation” wherever
12 it may appear therein and replacing it with the phrase “Road System”.

13 Section 85. Routes 40 and 896 Lands. Per 70 Del. Laws, c. 473, § 72 the working group
14 appointed to assess the Department of Transportation’s proposed use of its lands at Routes 40 and 896 has
15 met and discussed the options available for this site. The Department will implement the following
16 recommendations:

- 17 1. The property shall be used in a manner which will enhance the quality of life of local residents, such
18 as recreation, public safety, transportation and public education.
- 19 2. Commitments for portions of the property have been made to the following organizations: YMCA of
20 Delaware, and the New Castle Department of Parks and Recreation.
- 21 3. An immediate set aside of property for a potential future grade separation at the Routes 40 and 896
22 intersection as per Section 66(e) of 70 Del. Laws, c. 473.
- 23 4. The Department of Transportation shall be appropriately compensated for non-transportation use of
24 these properties at the rate of not less than \$18,000 per acre.

1 5. No sale or commitment of the property shall be made during Fiscal Year 2002 without the
2 concurrence of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement
3 Program.

4 6. The committee referenced above as currently constituted shall continue and report back to the Joint
5 Legislative Committee on the Capital Improvement Program by June 30, 2002, including
6 infrastructure needs.

7 7. Notwithstanding the provisions of 17 Del. C. § 137, the sale or conveyance of Department of
8 Transportation owned lands at Routes 40 and 896 shall be governed by these provisions.

9 Section 86. SR 141 Crossing. The Secretary of Transportation is authorized to develop a design
10 competition for the development of a design for the SR 141 crossing of the Brandywine River. The
11 design competition shall consider aesthetics, cost, use of new technologies, and environmental and
12 historic impacts. For the purpose of selecting Design Teams for the competition and making payments to
13 the teams to develop selected design concepts, the Department shall be exempt from the provisions of 29
14 Del. C. c. 69.

15 Section 87. AstraZeneca Project. (a) Of the amounts appropriated to the Department of
16 Transportation in this Act and listed in the Section 1 Addendum to this Act for Road System (WW/00),
17 sufficient funds are available for reimbursement to the Delaware Economic Development Office (DEDO)
18 for certain rights-of-way for transportation improvements related to the AstraZeneca Project. The
19 Department is authorized to reimburse DEDO for the cost of such lands needed solely for such
20 transportation improvements, subject to compliance with all necessary federal regulations that limit the
21 timing of such expenditures by the Department. The per acre cost to DEDO for all the lands DEDO
22 acquires for the AstraZeneca Project shall be used as the per acre charge to the Department for such
23 reimbursement. Other acreage acquired by DEDO for the AstraZeneca Project needed for area-wide
24 stormwater management improvements, wetlands mitigation, and/or historic preservation regulatory
25 compliance, shall be made available to the Department without cost for its use in constructing such
26 improvements, facilities, and or complying with historic preservation regulations.

(b)1. The roadway concept plan developed by the joint public process and approved by the Governor and the County Executive will be designed and constructed, as proposed. All roadway alignments and connections shown in the concept plan will be maintained in the final project design. Only modifications to ensure safety or to minimize or avoid impacts to environmentally sensitive areas will be permitted in the final design. However, no change will be made to the concept that will result in a degradation of the Level of Service as committed by New Castle County and as defined in the Department of Transportation's response to the AstraZeneca Traffic Impact Study; and

2. To accommodate the growth projected by AstraZeneca, the Department of Transportation will complete Phase 1 ITMS improvements and Phase 1 transit improvements by the end of Fiscal Year 2002. All roadway construction improvements will be complete by the end of Fiscal Year 2007. The Department will prepare construction contracts and advance them to construction in the most efficient manner possible. Contracts should be prepared and staged to minimize disruption to the existing traffic flow; and

3. The construction schedule will be as follows:

Enhanced ITMS and transit improvements

Phase I	Advertised	2001
	Completed	2002
Phase 2	Advertised	2002
	Completed	2003

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

Advertised	2002
Completed	2003

Roadways on Eastside of US Route 202

Advertised	2003
Completed	2004

1	Utility Relocation Contract(s)		
2		Advertised	As needed
3	US Route 202 Improvements		
4		Advertised	2004
5		Completed	2005
6	Route 141 Spur & Children's Drive		
7		Advertised	2005
8		Completed	2006
9	US Route 202, I-95 Southbound Ramp through Broom Street		
10		Advertised	2006
11		Completed	2007

4. This schedule assumes the following project components are completed in a timely manner in order to maintain the proposed advertisement and construction schedule:

- a. Completion of real estate acquisition by others to meet project schedules;
- b. Issuance of all applicable federal, state and county permits to meet project schedules;
- c. Completion of utility relocations with appropriate private and public companies in a series of roadway projects;

5. Periodic workshops will be held to present status reports on project design.

6. It is the intent of the General Assembly that the State will authorize the funding for the entire project in the Fiscal Year 2001 Bond and Capital Improvements Act. These funds will remain committed to this project. Federal Funds may be substituted for the State Funds, if the project becomes eligible for Federal Funds without jeopardizing the construction schedule outlined in #2 above.

Section 88. Belmont Hall. Notwithstanding the provisions of 17 Del. C. c. 1, the Department of Transportation shall not dispose of any lands adjacent to Belmont Hall in Smyrna.

1 Section 89. Charles Mills Boulevard Improvement Corporation.

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

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

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

7 Section 90. Highway Operations Facilities. The following building structures and facilities
8 constructed or to be constructed within the Department of Transportation’s operating rights-of-way for
9 the Interstate Highway System and State Route 1, that are used to assist in the operational and
10 maintenance activities for such roads, shall not be subject to zoning, subdivision, or building code
11 ordinances or regulations by any political subdivision of the State: a) Expressways Maintenance
12 Headquarters (equipment shed, roof replacement and HVAC); b) Tybouts Corner Maintenance Area
13 (equipment sheds, salt storage facility, and one-story area office building); and c) Talley Road
14 Maintenance Area (equipment sheds, storage facility, salt storage facility and security/privacy barrier).
15 The Department shall not construct any such facility or make improvements in any such existing facility
16 without first conducting a public workshop to describe such plans and gather public input into the effect
17 of such plans.

18 Section 91. Transit Bus Shelter Advertising. The General Assembly acknowledges the work of
19 the Delaware Transit Corporation (“DTC”) in developing and implementing a transit shelter improvement
20 program. Part of the program involves the use of contractual advertising on the downstream panel of such
21 shelters, to offset the capital and maintenance costs of such shelters, as contemplated in 17 Del. C. c. 11.
22 The General Assembly finds that such advertising is appropriate when located in most areas, but is
23 inappropriate in certain areas. Notwithstanding any other state or local law to the contrary, contractual
24 advertising under the DTC program shall be permitted, except in the following locations: (a) within a
25 residential subdivision, except at its entrance; (b) within 50 feet of a residence; (c) within 100 feet of any
26 property designated as an historic resource under federal, state, or local law; or (d) within 150 feet of
27 areas experiencing continually high incident rates of drug offenses or crimes against persons, measured

1 on a calendar-year basis, as designated by the State Bureau of Identification or the applicable local police
2 agency.

3 Section 92. Notwithstanding the provisions of any applicable State law to the contrary, the
4 Department of Transportation shall deed, pending a satisfactory environmental audit paid for by
5 Community Transportation Funds, tax parcel #11.032.00.016 to New Castle County for public recreation
6 use. The Department shall be reimbursed an amount not to exceed \$329,400 for said parcel with one-half
7 of this amount to be paid in the first quarter of FY 2001 and the remainder to be paid in the first quarter of
8 Fiscal Year 2002.

9 Section 93. Valley Road Project The General Assembly acknowledges the work of the
10 Department of Transportation in attempting to assist certain private landowners with drainage problems
11 south of Valley Road and east of SR 7, near the site of the ongoing Department Contract No. 91-101-02
12 (“the Project.”) The Department’s consultants have identified certain potentially feasible solutions to
13 those problems, and the New Castle County Conservation District has agreed to provide assistance in
14 constructing any additional stormwater facilities beyond those required for the Project. Nonetheless, the
15 technical details concerning such solutions and their eventual resolution need further analysis and study,
16 and the Department’s Project needs to continue without undue delay. Notwithstanding any other state or
17 local law to the contrary, the General Assembly hereby authorizes and directs the Department to continue
18 with the construction of the Project, under the following conditions:

- 19 1. Any pipe or culvert installation underneath Valley Road shall be initially constructed so as
20 not to exceed the maximum stream flow (250cfs+/-) of the existing culvert near the
21 intersection of SR 7 and Valley Road that aligns with a similar culvert under a private
22 building to the immediate south of Valley Road;
- 23 2. Such construction shall include the initial plugging of any new culverts installed under the
24 Project’s current plans, with an eventual opening of one or more of such culverts when the
25 existing culvert is taken out of service as planned. In any event, a weir gate system or other

1 appropriate technology shall be used to limit the stream flow to 250cfs+/- during the
2 construction of the Project;

- 3 3. These stream flow limits shall remain in place until the completion of any installation of
4 additional stormwater facilities ("facilities") determined by mutual agreement of the
5 Department, the property owner, and the Conservation District;
- 6 4. Legislators may designate monies appropriated from the "Community Transportation
7 Program" of the "Supplemental Information for Transportation Projects" attached hereto, to
8 provide for the engineering review and construction costs for such facilities built pursuant to
9 the mutual agreement;
- 10 5. No state funds shall be expended on such additional stormwater facilities unless the property
11 owner donates the land necessary for such purposes; and
- 12 6. The Department shall bear the costs of adjusting its construction plans to accommodate the
13 plugging, weir gating, and eventual opening of the new culvert systems for the Project.

14
15 Section 94. Road System - Section 1 Addendum of this Act appropriates the sum of
16 \$216,456,000 (State \$114,068,000; federal \$98,848,000; other \$3,540,000) for projects within the new
17 classification to be known as the Road System. Notwithstanding the provisions of any state law to the
18 contrary, the General Assembly further defines its intent with respect to those appropriations as follows:

19 (a) Design-Build Contracts. The Department is authorized to continue its program of
20 experimental design-build projects, pursuant to 72 Del. Laws, c. 258, §111.

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

- 23 (1) Of the amounts appropriated for Road System (WW/00) as set forth in the Section 1
24 Addendum to this Act, the Department is authorized to expend up to \$2,000,000 (State) for this
25 program.

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

3 (3) The Department shall develop a priority list for hot mix paving under this program. The
4 Department shall consider the following factors: average annual daily traffic; school bus routes;
5 safety considerations; ease of construction, taking into consideration sub-base quality, minimal utility
6 or right-of-way impacts, and minimal drainage problems; and using the current geographic
7 distribution ratios of such roads for planning and scheduling projects under this program, if
8 economically feasible.

9 The Department shall use this priority list in determining the sequence of projects undertaken
10 within this program.

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

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

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

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

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

22 (5) It is appropriate to authorize the Department to minimize the development pressures on
23 the area east of the proposed interchange as a part of the interchange project.

24 Notwithstanding the provisions of any applicable State law to the contrary, the Department of
25 Transportation is hereby authorized to expend funds appropriated in the Section 1 Addendum to this Act
26 for the SR8/SR1 Interchange Project, to acquire real property or property rights in order to minimize

1 development east of the interchange, as it deems necessary and appropriate under the applicable legal
2 authorities for such acquisitions, under the following conditions:

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

5 (2) The Department shall report on the progress of this project to the Co-Chairs of the Joint
6 Legislative Committee on the Capital Improvement Program by May 1, 2002.

7 (d) SR273 Improvements at Quigley Boulevard and Old Baltimore Pike, and Service Road
8 Improvements in Sussex County. The Section 1 Addendum of this Act includes appropriations for
9 roadway alterations and improvements along State Route 273 in the vicinities of (a) Quigley Boulevard
10 and (b) Old Baltimore Pike in New Castle County. The Section 1 Addendum of this Act also appropriates
11 funds for the provision of service roads in Sussex County as part of the Corridor Capacity Preservation
12 Program. The Department is authorized to enter into such agreements as it deems suitable for the
13 construction of such improvements. These agreements may be with political subdivisions of the State, or
14 with private parties, or any combination of such entities. The funds for the State's portion of the costs of
15 such improvements, as determined in such agreements, shall be from those amounts appropriated in the
16 Section 1 Addendum to this Act. A copy of any such agreements shall be delivered to the Controller
17 General and the Budget Director. The Department shall report on the progress of these projects to the Co-
18 Chairs of the Joint Legislative Committee on the Capital Improvement Program by May 1, 2002.

19 (e) Wilmington Riverfront. In keeping with its previous work program, the Department shall
20 insure a timely completion of all authorized projects intended to support the development of the
21 Wilmington Riverfront.

22 (f) Multi-modal Improvements. The Department may work in conjunction with any political
23 subdivision of the state and with any private organization to plan and construct such improvements for
24 bicycle and pedestrian traffic as may be appropriate. In carrying out this program, the Department may
25 take into consideration in scheduling its projects, those in which the affected local community is willing
26 to contribute a matching share (whether in cash, rights of way, or other in-kind services) in order to
27 accomplish the project.

1 (g) Intersection Improvements. The Section 1 Addendum of this Act appropriates \$2,625,000
2 (State \$1,425,000; federal \$1,200,000) for intersection improvements throughout the state. The
3 Department shall report to the General Assembly not later than May 1, 2002 on its progress in completing
4 needed improvements under this program.

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

11 (i) Blades Marina. In keeping with the overall economic importance of the Blades Marina
12 project to the well being of Sussex County, the Secretary of the Department of Transportation shall
13 reserve \$513,000 (State) from the funds appropriated in the Transportation Enhancements category for
14 completion of eligible work within this project. The Secretary shall also ensure that any such funds
15 expended for this project shall be subject to the State prevailing wage law, 29 Del. C. § 6960.

16 Section 95. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum
17 of \$26,100,000 (State) for projects within the new classification to be known as Grants and Allocations.
18 Notwithstanding the provisions of any state law to the contrary, the General Assembly further defines its
19 intent with respect to those appropriations as follows:

20 (a) The sum of \$20,100,000 (State) shall be used for the new Community Transportation Fund,
21 in accordance with the provisions of Section 66 (d), of this Act, and with such rules and regulations as
22 may be adopted by the Joint Legislative Committee on the Capital Improvements Program, as amended
23 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. c. 51.

1 Section 96. Transit System. The Section 1 Addendum of this Act appropriates the sum of
2 \$25,645,000 (State \$20,291,000; federal \$5,160,000; other \$194,000) for projects within the new
3 classification to be known as the Transit System. Notwithstanding the provisions of any state law to the
4 contrary, the General Assembly further defines its intent with respect to those appropriations as follows:

5 (a) Shellpot Creek Railroad Bridge. The Secretary of the Department is authorized to enter into
6 all agreements deemed necessary and proper among the National Rail Passenger Corporation
7 (AMTRAK), the Norfolk Southern Corporation, or their related entities, and the Department for the
8 rehabilitation or replacement of the Shellpot Creek Railroad Bridge, on terms deemed suitable by the
9 Secretary. The funds for the State's portion of the costs of such rehabilitation or replacement, as
10 determined in such agreements, shall be from those amounts appropriated in the Section 1 Addendum of
11 this Act. A copy of any such agreements shall be delivered to the Controller General and the Budget
12 Director. The Department shall report on the progress of this project to the Co-Chairs of the Joint
13 Legislative Committee on the Capital Improvement Program by May 1, 2002.

14 (b) Cherry Lane Railroad Crossing. Notwithstanding any applicable State law to the contrary,
15 the Secretary of the Department is authorized to enter into any agreements he deems necessary and proper
16 to improve the existing rail crossing at Cherry Lane (Road 372), in new Castle County. These agreements
17 shall take into consideration the participation and cooperation of the Norfolk Southern Corporation, the
18 property owners to the east of this rail crossing, or their related entities, as well as the Department. The
19 funds for the State's portion of the costs of such improvements, as determined in such agreements, shall
20 be from those amounts appropriated in the Section 1 Addendum to this Act. A copy of any such
21 agreements shall be delivered to the Controller General and the Budget Director. The Department shall
22 report on the progress of this project to the Co-Chairs of the Joint Legislative Committee on the Capital
23 Improvement Program by September 30, 2001.

24 (c) 5310 Program. The Delaware Transit Corporation is authorized to expend up to \$667,000
25 (State \$333,500; federal \$333,500) from the Transit System funds (YY/00) appropriated in this Act for
26 the 5310 Program, administered by the Federal Transit Authority.

1 Section 97. Support System. The Section 1 Addendum of this Act appropriates the sum of
2 \$92,001,000 (State \$75,398,000; federal \$16,523,000; other \$80,000) for projects within the new
3 classification to be known as the Support System. Notwithstanding the provisions of any state law to the
4 contrary, the General Assembly further defines its intent with respect to those appropriations as follows:

5 (a) Port of Wilmington. The Section 1 Addendum of this Act appropriates the sum of
6 \$49,500,000 (State) for projects at the Port of Wilmington. It is the intent of the General Assembly that
7 these funds be used in accordance with the following schedule:

8 (1) The Secretary of the Department, with the approval of the Secretaries of Finance
9 and State and the Controller General, shall transfer \$15,000,000 (State) from the
10 Transportation Trust Fund to the Diamond State Port Corporation (“Corporation”), not later
11 than August 1, 2001, in order to complete the State's obligation to the Auto-Berth facility, as
12 previously authorized by the General Assembly.

13 (2) Amounts, not to exceed \$2,000,000 (State) in other funds on deposit in the
14 Transportation Trust Fund, shall be transferred by the Secretary of the Department, with the
15 approval of the Secretaries of Finance and State and the Controller General, to the
16 Corporation, from time to time, as needed, in order to complete a program of improvements
17 for the rail system which supports the container cranes at the Port of Wilmington.

18 (3) The Secretary may, from time to time, and pursuant to resolution(s) of the Board
19 of Directors of the Corporation and the Secretaries of Finance and State and Controller
20 General, transfer amounts not to exceed \$5,000,000 (State) from the Transportation Trust
21 Fund to the Corporation to enhance its economic development program during FY 2002. It is
22 the intent of the General Assembly that such funds may only be expended if the Board of the
23 Corporation has determined that there is a significant long term benefit to the Port in
24 conjunction with the investment of these funds, for the joint benefit of the Port and one or
25 more of its tenants. If such resolution(s) have not been adopted, then the Secretary may not
26 authorize any transfers pursuant to this section. Any funds authorized, but not spent, under
27 this subsection, shall revert to the Transportation Trust Fund, effective July 1, 2002. The

1 Secretary of the Department shall prepare a report for the Governor and General Assembly by
2 May 1, 2002 with respect to the funds authorized and spent pursuant to this section.

3 (4) The General Assembly finds that it is in the best interests of the State of
4 Delaware, the Delaware Transportation Authority, the Diamond State Port Corporation, and
5 the City of Wilmington to undertake a program of re-financing of a portion of the debt
6 obligations of the Corporation. These may include obligations that have been incurred in
7 conjunction with the Port of Wilmington Acquisition Agreement ("Agreement") dated
8 September 1, 1995, and such other borrowings as have been undertaken by the Port of
9 Wilmington, and/or the Corporation, both prior and subsequent to, the effective date of the
10 Agreement. Pursuant to these findings, the Secretary of the Department and the
11 Secretaries of Finance and State and the Controller General may undertake such financing as
12 shall be determined to be in the maximum interest of all parties. Accordingly, not later than
13 December 1, 2001, the Secretary of the Department is authorized to enter into such
14 agreements with the Corporation as are needed to effect the withdrawal and repayment of no
15 more than \$27,500,000 (State) from the Transportation Trust Fund, for the benefit of the
16 Corporation and the other parties, pursuant to this section. In approving any such withdrawal,
17 and the repayment obligations of the Corporation to the Transportation Trust Fund, the
18 Secretary of the Department shall insure that such re-financing does not impair the ability of
19 the Department to carry out its other transportation improvement obligations as authorized by
20 this Act, or previous Acts, of the General Assembly. The Secretary shall report to the
21 Controller General and the Budget Director upon completion of any transaction completed
22 pursuant to this section.

23 (5) It is the intent of the Corporation and the State of Delaware to refinance certain
24 debts undertaken by the Corporation. As part of this refinancing, the Corporation will prepay
25 certain monies contractually owed to the City of Wilmington ("City") from the sale of the
26 Port of Wilmington. In exchange for this prepayment, the City of Wilmington shall forego
27 any claim to all future corporation deferred payment obligations owed to the City as a result

1 of the State's acquisition of the Port of Wilmington. The City of Wilmington shall receive a
2 total of \$8,000,000 to be paid as follows: \$6,000,000 at the time the Corporation receives
3 monies from the refinancing of its debt as provided in subsection (a) (4) above; and
4 \$2,000,000 upon the concurrence of the Secretary of Finance, the Secretary of Transportation
5 and the Co-Chairs of the joint Legislative Committee on the Capital Improvement Program
6 that another \$2,000,000 in other city funds, not to include any monies appropriated to the
7 City from the FY 2002 Bond and Capital Improvements Act, was encumbered through
8 contract or other means after July 1, 2001 to contract for or directly pay for new efforts by the
9 City toward implementation of the City's Combined Sewer Overflow (CSO) Plan. Further,
10 funds received by the City under this section shall be placed in the City's Commerce fund
11 only for the purpose of funding new and existing economic development initiatives, or for
12 such public safety emergencies that may be declared by the Mayor, but only with the
13 concurrence of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement
14 Program.

15 (b) Variable Speed and Message Signs. The Section 1 Addendum of this Act appropriates
16 \$3,504,000 (State \$701,000; federal \$2,803,000) for the purchase and installation of Variable Speed and
17 Message signs for the major limited access and heavily traveled roads of the state. Once installed and
18 tested, these signs shall be used by the Department, pursuant to the provisions of Delaware law, to help
19 maintain safe driving conditions on these highways. To the maximum extent possible, the Department of
20 Transportation and the Department of Public Safety shall insure broad public notification and education
21 surrounding the conditions under which these signs will be used to control safe speeds on Delaware's
22 highways.

23 (c) Motor Vehicle – Onboard Diagnostics. The Section 1 Addendum of this Act appropriates
24 \$500,000 (State) for Motor Vehicle – Onboard Diagnostics. These funds are to assist the Department of
25 Public Safety, Division of Motor Vehicles to purchase equipment to perform onboard diagnostic testing
26 of vehicles, and to make small, minor capital improvements, which may be necessary to begin the
27 program by January, 2002. This initiative will support the Transportation Improvement Program

1 Conformity Analysis plans submitted by the State of Delaware's two Metropolitan Planning
2 Organizations, as required to meet the minimum standards adopted by the U.S. Environmental Protection
3 Agency. The Department of Transportation and the Department of Public Safety are specifically
4 authorized and directed to use such sums from this appropriation as may be necessary to carry out training
5 for state employees administering the program and for funding a broad based program of public
6 information concerning the state's initiatives under Air Quality Compliance.

7 (d) New Castle County/Wilmington Transit Facilities.

8 (1) The Section 1 Addendum of this Act appropriates \$1,860,000 (State \$1,780,000;
9 federal \$80,000) for the acquisition and improvement of transit facilities in the cities of
10 Wilmington and Newark, and in unincorporated portions of New Castle County. The
11 Department is authorized and directed to use these funds based on agreements with the local
12 jurisdictions as to the location, function, size, and other details of the facilities.

13 (2) Before a mid-county bus facility is built in the Route 1, Route 13 and Route 72
14 vicinity, the Department of Transportation shall recommend potential enhancements to Route
15 72 from Route 1 to Old Baltimore Pike and Route 13 from St. Georges Bridge to Route 72.
16 These recommendations shall be reported to the Joint Legislative Committee on the Capital
17 Improvement Program by January 31, 2002.

18 (e) Bridgeville Visitors Center. The Section 1 Addendum of this Act appropriates \$675,000
19 (State) for land at the Bridgeville Visitors Center. It is the intent of the General Assembly that if the
20 Department succeeds in acquiring this land, it will then transfer the land and improvements to the
21 Department of Administrative Services, to be used for such purposes and by such agencies as the
22 Governor and General Assembly may subsequently agree.

23 (f) Facilities. The Section 1 Addendum of this Act appropriates \$2,700,000 (State) for the
24 improvement and adaptation of Departmental facilities. In administering this appropriation, the Secretary
25 shall insure that the Department's Maintenance Yards, especially those in the Central District, are
26 properly upgraded to provide necessary facilities for the welfare and comfort of the Department's
27 personnel, and the safekeeping of all equipment.

1 (g) The Secretary of the Department of Transportation is authorized to enter into an agreement
2 with the Secretary of the Department of Administrative Services to sell up to 2.0 acres of a portion of
3 state-owned land formerly known as the Danner Farm tract, in Kent County, Delaware. This sale may be
4 made only to the Kent County Conservation District, in anticipation of its construction of a new central
5 office for the District's programs. The purchase price for this property shall be set at either its appraised
6 value or such other price as may be mutually agreed upon by the Secretaries of Administrative Services
7 and Transportation. Proceeds from the sale shall be deposited into the Transportation Trust Fund and may
8 be used to defray the Department of Transportation's cost to build an alternate skid-pad for the Delaware
9 State Police.

10 Section 98. Route 40 Relief Route. The Department of Transportation is prohibited from
11 expending any funds on the Route 40 Relief Route "Alternative 6B" proposal as outlined in the June 1999
12 minutes of the Route 40 Corridor Study Committee and considered by the Route 40 Corridor study
13 Committee and the Department of Transportation's Planning Team.

14 Section 99. Amend 30 Del. C. §5165(2)(b)(2) by deleting ";" and inserting in lieu thereof ".".
15 Further Amend 30 Del. C. §5165(2)(b)(2) by adding the following sentence to the end of said subsection:
16 "Such form shall itemize each expenditure as represented on said form as Other expenditures."

1 **DEPARTMENT OF AGRICULTURE**

2 Section 100. Agriculture Compliance Lab. Notwithstanding the provisions of 3 Del. C. § 1002

3 (b), the Department of Agriculture shall expend up to One Hundred Eighty-Four Thousand Dollars
4 (\$184,000) from the 65-01-04-8700 Forestry account to equip the new Agricultural Compliance
5 Laboratory.

6 Section 101. Farmland Preservation. The Section 1 Addendum to this Act appropriates

7 \$6,000,000 to the Farmland Preservation Program. Of this appropriation, \$1,000,000 will be funded
8 through bond authorizations. The Department of Agriculture shall segregate the \$1,000,000 of bond
9 proceeds appropriated herein to the Farmland Preservation Program from other funds in the Farmland
10 Preservation Program. The \$1,000,000 in bond proceeds shall be used solely for the purchase of
11 development rights and may not be used for the cost of surveying, planning, or other costs of
12 administering the Farmland Preservation Program.

13 Section 102. Farmland Preservation Operating Expenses. The Section 1 Addendum to this Act

14 contains a Twenty-First Century Fund appropriation for Farmland Preservation. For the FY 2002
15 allocation of these funds, it is the intent of the General Assembly that:

16 1. Up to \$150,000 may be used for the operating expenses of the Aglands Preservation
17 Foundation subject to the approval of the Budget Director and Controller General.

18 2. Up to \$350,000 may be used to pay the costs of mapping, legal services and other
19 related costs required to create agricultural district agreements and the costs of appraisals of all
20 eligible properties, and shall be exempt from matching requirements subject to the approval of the
21 Budget Director and Controller General.

1 STATE FIRE COMMISSION

2 Section 103. Hydraulic Rescue Tools Replacement: It is the intent of the General Assembly that
3 the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Minquadale and
4 Talleyville volunteer fire companies. Upon submitting the receipts of sale, each company will be
5 reimbursed up to \$7,500 by the State Fire Commission - State Fire School (75-02-01).

6 Section 104. Thermal-Imaging Cameras. The Section 1 Addendum to this Act appropriates
7 \$135,000 to the State Fire Commission for thermal-imaging cameras. It is the intent of the General
8 Assembly that these funds be used to reimburse the following fire companies for a portion of the cost to
9 purchase a thermal-imaging camera:

10	Cranston Heights	Little Creek	Roxana-1
11	Delaware City	Frederica	Dagsboro
12	Townsend	Leipsic	Blades
13	Minquadale	Magnolia	Ellendale
14	Holloway Terrace	Houston	Bethany Beach-1

15 Upon submitting receipts of sale, each company will be reimbursed up to \$9,000 per company by the
16 State Fire School. Each fire company in the state shall be reimbursed for one thermal-imaging camera
17 based on a schedule provided by the Delaware Volunteer Firemen's Association.

1 **DEPARTMENT OF EDUCATION**

2 Section 105. 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 106. School Building and Custodial Verification. By September 30 of each calendar
14 year, each school district shall notify the Department of Education of its intended use for each school
15 building and administrative office building. School districts shall notify the Department about changes in
16 the use 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. The Department
21 of Education shall review current regulations surrounding custodial allocations and present a
22 recommendation as part of the Department of Education's Fiscal Year 2002 Bond and Capital
23 Improvements request.

24 Section 107. School Construction Market Pressure. It is the intent of the General Assembly that
25 the sum of \$3,600,000 appropriated to the Department of Education in Section 1 of this Act be utilized by

1 local school districts to enable them to maintain a high level of construction quality in the environment of
2 increased market pressure and escalating costs. This funding will be provided to the following districts:

3	DISTRICT	SCHOOL	STATE	LOCAL MATCH
4	Appoquinimink	Olive B. Loss ES	\$ 761,500	\$311,000
5	Smyrna	700 Pupil MS	\$1,614,700	\$403,700
6	Milford	Banneker ES	\$1,071,000	\$302,100
7	Indian River	1,000 Pupil HS	\$ 152,800	\$101,867

8
9 Notwithstanding any provisions of the Delaware Code to the contrary, the local school districts are
10 required to pay for the local share of each project under this section. The following funds may be used to
11 meet the required local match: Minor Capital Improvement Funds and/or Division III Equalization.

12 In order to access the state funds, districts must notify the Department of Education, the Budget
13 Office and the Office of the Controller General which option the district has chosen.

14 Section 108. Appoquinimink School District. During the Fiscal Year ending June 30, 2002, it is
15 the intent of the General Assembly that if the Appoquinimink School District enters into negotiations to
16 purchase any building or property not currently owned by the District for administration offices, the
17 provisions of § 1902 and § 1903 of 14, Del. C. and § 7509, and § 7510 of 29 Del. C. shall apply. It is
18 also the further intent of the General Assembly that funds previously appropriated for the expansion of the
19 current district offices may be used for the purchase of alternate facilities or property for office expansion.

20 Section 109. School Construction Planning Committee. It is the intent of the General Assembly
21 that the School Construction Planning Committee established in November, 2000 continue in Fiscal Year
22 2002 with the following charges:

- 23 1. Review the existing school construction square foot formula,
- 24 2. Standardization of construction materials,
- 25 3. The cost formula and the standardization of floor plans for new school construction, and
- 26 4. Review future major and minor capital improvement financing options.

27

1 The Committee shall report its findings to the Joint Legislative Committee on the Capital
2 Improvement Program by January 31, 2002.

3 Section 110. Special School Funding. Amend 29 Del. C. §7503(b) by deleting the sentence "for
4 the statewide Autistic Program, the Margaret S. Sterck School for Hearing Impaired, and the John G.
5 Leach School, construction shall be 100% state funded." as it appears therein and substituting in lieu
6 thereof the sentence "For the statewide Autistic Program, the Margaret S. Sterck School Delaware School
7 for the Deaf, the John G. Leach School, the John S. Charlton School, and the Sussex Consortium,
8 construction shall be 100% state funded."

9 Section 111. Neighborhood Schools. The Section 1 Addendum of this Act appropriates
10 \$3,000,000 to the Department of Education for Neighborhood Schools Plans. This appropriation is
11 intended to offset local documented costs incurred by the school districts for the development, approval
12 and implementation of their neighborhood schools plans pursuant to 14 Del. C. §223 and 72 Del. Laws,
13 C. 287. The reimbursement criteria for documented, allowable costs shall be determined by the Budget
14 Director and Controller General, in consultation with the Department of Education. In no such instance
15 shall reimbursements be made for costs incurred by a local school district prior to April 20, 2000.

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

23 Notwithstanding the provisions of 72 Del. Laws, c. 287 to the contrary, the funds herein
24 appropriated and allocated to the local school districts constitute the transition costs contemplated by 72
25 Del. Laws, c. 287 and all plans must be implemented within 18 months of receiving said transition costs
26 pursuant to 14 Del. C. §223(d) and (f). If a school district is unable to document local costs pursuant to

1 this section, the district must implement its Neighborhood School Plan within 18 months of State Board
2 of Education approval of such Plan.

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

5 Section 112. Bond Verification. All bonds issued, or herein before or herein authorized to be
6 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

7 Section 113. Inconsistency. Insofar as the provisions of this Act are inconsistent with the
8 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
9 controlling.

10 Section 114. Severability. If any section, part, phrase, or provision of this Act or the application
11 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
12 operation to the section, part, phrase, provision, or application directly involved in the controversy in
13 which such judgment shall have been rendered and shall not affect or impair the validity of the
14 remainder of this Act or the application thereof.

15 Section 115. Effective Date. This Act shall take effect in accordance with the provisions of
16 state law.

SYNOPSIS

This Bill is the FY 2002 Bond and Capital Improvements Act.

Author: Joint Legislative Committee on Capital Improvement Program