SPONSOR: Sen. Sokola & Rep. Heffernan
Brown Brady
Townsend Osienski
Walsh K. Williams
Bonini Gray
Pettyjohn Ramone

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 9

AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO BOND AND CAPITAL IMPROVEMENTS ACTS OF THE STATE OF DELAWARE AND CERTAIN OF THEIR AUTHORITIES FOR THE FISCAL YEARS ENDING JUNE 30, 2018 AND JUNE 30, 2019.

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

Section 1. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 160 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 160. Community Transportation Funds. Notwithstanding any provision of Title 29 to the contrary, the Delaware Department of Transportation is hereby authorized to use Community Transportation Funds for a one-time reimbursement to each of the following:

1. The Devonshire Civic Association, in the amount of $1,800 for snow removal reimbursement.
2. The Little Creek Volunteer Fire Company, in the amount of $50,000 for purchase of a command vehicle.
3. The Smyrna Volunteer Fire Company, in the amount of $50,000 for purchase of a command vehicle.
4. The Clayton Volunteer Fire Company, in the amount of $50,000 for purchase of a command vehicle.
5. The Delaware SPCA-Newark, in the amount of $9,974 for an entrance sign.

Section 2. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 161 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 161. Appoquinimink School District Transfer. The Appoquinimink School District, with the approval of the Secretary of Education, the Director of the Office of Management and Budget and the Controller General, is authorized to transfer non-obligated major capital improvement funds from the Whitehall Elementary School project (CN 1829 C) to the Fairfield Campus project (CN 1829 D) to address increased costs attributable to extraordinary site conditions encountered at the Fairfield Campus project.

Section 3. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 162 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 162. Construction/Federal Contingency. The Section 1 Addendum to this Act appropriates $7,500,000 to the Office of Management and Budget for Construction/Federal Contingency. The Director of the Office of Management and Budget, with the concurrence of the Controller General, may approve the use of these funds for projects listed in this Act.

Section 4. Amend Chapter 212, Volume 81 of the Laws of Delaware by amending Section 169 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 169. Garashes "L" Project. The Delaware Department of Transportation is authorized to transfer funds, not to exceed $2,000,000 $2,380,000, to the Riverfront Development Corporation for the purposes of constructing the improvements needed for the Garashes "L" project in order to support economic development initiatives in the south Wilmington area along US 13. The Garashes "L" improvements consist of the realignment of the roadway, sidewalk connections, drainage and environmental remediation. The project must be constructed per the Department's approved plans, completed no later than May 2019 and must comply with all applicable procurement laws. These funds may also be used for road construction projects associated with the Wilmington Riverfront Sports Project.

Section 5. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 163 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 163. Delaware Strategic Fund. Should interest earnings from the Delaware Strategic Fund not be available by September 1 in the amount of $125,000 for the New Castle County Chamber of Commerce's business incubator, the Emerging Enterprise Center, and $25,000 for the Middletown Chamber of Commerce's business incubator, funding shall be made available directly from the Delaware Strategic Fund.

Section 6. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 164 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 164. Delaware National Guard. The Section 1 Addendum to this Act appropriates $2,473,227 to the Delaware National Guard for Minor Capital Improvement and Equipment. Notwithstanding any other statutory provision to the contrary, the Delaware National Guard may use this appropriation for the purpose of proceeding with the following projects: 198th Readiness Center Facilities Interior Improvements and HVAC system, and Georgetown Readiness Center Sitework.

Section 7. Amend Chapter 303, Volume 81 of the Laws of Delaware by adding a new Section 165 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 165. Appoquinimink School District Conveyances. Notwithstanding the provisions of 14 Del. C. § 1057, the Appoquinimink School District (the "District") is authorized to convey approximately 28.19 ± acres of land being generally known as Silver Lake Park which is currently a portion of New Castle County tax parcel number 23-009.00-162 to the Mayor and Council of the Town of Middletown ("Middletown") in exchange for the conveyance by Middletown to the District of a 24.81± acre parcel of land having New Castle County tax parcel number 23-057.00-002 to be used for a public purpose which is adjacent to the District's Brick Elementary School facility. Middletown shall be responsible for obtaining all required approvals to subdivide the 28.19 ± acre parcel from New Castle County tax parcel 23-009.00-162 as well as the payment of transaction costs incurred by Middletown associated with the property to be conveyed by the District. Middletown shall receive the 28.19 ± acre parcel in "as is" condition.

Ssynopsis

This Act amends the Fiscal Years 2018 and 2019 Bond and Capital Improvements Acts to (1) authorize the Department of Transportation to use Community Transportation Funds for one-time reimbursements for various projects; (2) allow the transfer of funds between capital projects for the Appoquinimink School District; (3) authorize a transfer of funds from the Office of Management and Budget for other listed projects; (4) revise the fund amount for the Garashes L Project and expand the use of funds for road projects at the Wilmington Riverfront Sports Project; (5) authorize funding from the Delaware Strategic Fund when interest earnings are not available for the New Castle County and Middletown Chamber of Commerce's business incubators; (6) authorize the Delaware National Guard to use appropriated funds for the 198th Readiness Center Facilities and Georgetown Readiness Center and 7) authorize the conveyance of property between the Appoquinimink School District and the Town of Middletown.

Author: Joint Legislative Committee on the Capital Improvement Program