



SPONSORS: Sen. Adams Rep. Gilligan
 McDowell VanSant
 DeLuca
 Venables

DELAWARE STATE SENATE

142ND GENERAL ASSEMBLY

SENATE BILL NO. 20

JANUARY 30, 2003

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2004; APPROPRIATING GENERAL FUNDS OF THE STATE; 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 FROM THE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN 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-quarters of all members elected to each House thereof concurring therein):

1 Section 1. Fiscal Year 2004 Capital Improvements Project Schedule Addendum. The General
2 Assembly hereby authorizes the following projects in the following amounts for the purposes set forth in
3 this Section and as described in the Fiscal Year 2004 Governor's Recommended Capital Budget and
4 Project Information document. Any authorization balance (excluding Transportation Trust Fund
5 balances) remaining unexpended or unencumbered by June 30, 2006, shall be subject to reversion of
6 reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2004 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	DEAUTHOR- IZATION OF STATE GUAR- ANTEED BONDS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUNDS	TOTAL
OFFICE OF THE BUDGET								
Technology Projects	10-02-01	\$ 8,598,900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,598,900
Subtotal:		\$ 8,598,900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,598,900
DELAWARE ECONOMIC DEVELOPMENT OFFICE								
Strategic Fund	10-03-03	\$ 4,020,000	\$ 180,000	\$ -	\$ -	\$ 5,800,000	\$ -	\$ 10,000,000
Riverfront Development Corporation	10-03-03	-	-	-	-	\$ 1,500,000	-	\$ 1,500,000
Subtotal:		\$ 4,020,000	\$ 180,000	\$ -	\$ -	\$ 7,300,000	\$ -	\$ 11,500,000
STATE								
Museum Maintenance	20-06-04	\$ 60,000	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ 100,000
Harrington Public Library	20-08-01	-	-	\$ 413,500	-	-	-	\$ 413,500
Laurel Public Library	20-08-01	-	-	\$ 500,000	-	-	-	\$ 500,000
Woodlawn Public Library	20-08-01	-	-	\$ 796,400	-	-	-	\$ 796,400
Subtotal:		\$ 60,000	\$ -	\$ 1,749,900	\$ -	\$ -	\$ -	\$ 1,809,900

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ADMINISTRATIVE SERVICES								
Environmental Compliance (UST/Asbestos)	30-05-10	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000
Minor Capital Improvement and Equipment	30-05-10	1,000,000	-	-	-	-	-	1,000,000
Architectural Barrier Removal	30-05-10	150,000	-	-	-	-	-	150,000
Haslet Armory Conversion	30-05-10	100,000	-	-	-	-	-	100,000
New Georgetown DMV Inspection Lanes	30-05-10	6,600,000	-	-	-	-	-	6,600,000
Minor Capital Improvement and Equipment - Judicial	30-05-10	150,000	-	-	-	-	-	150,000
Kent County Courthouse	30-05-10	3,337,100	-	-	-	-	-	3,337,100
Department of Health and Social Services Projects								
Minor Capital Improvement and Equipment -DHSS	30-05-10	211,200	-	-	-	-	-	211,200
Services for Children, Youth and Their Families								
Minor Capital Improvement and Equipment	30-05-10	550,000	-	-	-	-	-	550,000
Department of Correction Projects								
Minor Capital Improvement and Equipment - Correction	30-05-10	1,000,000	-	-	-	-	-	1,000,000
Delaware National Guard Projects								
Minor Capital Improvement and Equipment - DNG	30-05-10	150,000	-	-	-	-	-	150,000
Subtotal:		\$ 14,748,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,748,300
HEALTH AND SOCIAL SERVICES								
Maintenance and Restoration	35-01-20	\$ 1,800,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,800,000
Drinking Water State Revolving Fund	35-01-01	9,000	-	-	-	-	-	9,000
Subtotal:		\$ 1,809,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,809,000

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NATURAL RESOURCES AND ENVIRONMENTAL CONTROL								
Conservation Cost Sharing Program	40-07-04	\$ 2,345,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,345,000
Tax/Public Ditches	40-07-02	800,000	-	-	-	-	-	800,000
Beach Preservation	40-07-03	1,000,000	-	-	-	-	-	1,000,000
Dams/Water Control Structures	40-05-02	1,000,000	-	-	-	-	-	1,000,000
Minor Capital Improvement and Equipment	40-01-01	280,000	-	-	-	-	-	280,000
Clean Water State Revolving Fund	40-08-01	300,000	-	-	-	-	1,000,000	1,300,000
Subtotal:		\$ 5,725,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ 6,725,000
SAFETY AND HOMELAND SECURITY								
State Police Helicopter Replacement	45-01-01	\$ 548,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 548,000
Subtotal:		\$ 548,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 548,000
TRANSPORTATION								
Road System	55-05-00	\$ -	\$ -	\$ -	\$ 188,941,900	\$ -	\$ -	\$ 188,941,900
Grants and Allocations	55-05-00	-	-	-	26,100,000	-	-	26,100,000
Transit System	55-05-00	-	-	-	7,448,000	-	-	7,448,000
Support System	55-05-00	-	-	-	35,852,700	-	-	35,852,700
Subtotal:		\$ -	\$ -	\$ -	\$ 258,342,600	\$ -	\$ -	\$ 258,342,600

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FIRE PREVENTION COMMISSION								
Hydraulic Rescue Tools (Christiana, Clayton, Dover, Milton, South Bowers and Lewes - Rehoboth)	75-02-01	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	45,000
Thermal Imaging Cameras	75-02-01	150,000	-	-	-	-	-	150,000
		\$ 195,000	\$ -	\$ -	\$ -	\$ -	\$ -	195,000
	Subtotal:							
UNIVERSITY OF DELAWARE								
Wolf Hall Renovation	90-01-01	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,000,000
Minor Capital Improvement and Equipment	90-01-01	500,000	-	-	-	-	-	500,000
	Subtotal:	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000
DELAWARE STATE UNIVERSITY								
Multi-purpose Sports/Wellness Complex	90-03-01	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,000,000
Minor Capital Improvement and Equipment	90-03-01	500,000	-	-	-	-	-	500,000
	Subtotal:	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000
DELAWARE TECHNICAL AND COMMUNITY COLLEGE								
Education and Technology Building - Terry Campus	90-04-06	\$ 1,160,000	\$ -	\$ -	\$ -	\$ -	\$ -	1,160,000
Repair/Renovation of Jason Bldg- Owens Campus	90-04-02	660,000	-	-	-	-	-	660,000
Excellence Through Technology Campaign	90-04-01	300,000	-	-	-	-	-	300,000
Collegewide Asset Preservation Program	90-04-01	1,380,000	-	-	-	-	-	1,380,000
	Subtotal:	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	3,500,000

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EDUCATION								
Minor Capital Improvement	95-01-01	\$ 6,998,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,998,800
Architectural Barrier Removal	95-01-01	160,000	-	-	-	-	-	160,000
Brandywine, Renovate Concord High (60/40)	95-31-00	12,042,600	-	-	-	-	-	12,042,600
Brandywine, Renovate Talley Middle (60/40)	95-31-00	3,285,500	-	-	-	-	-	3,285,500
Caesar Rodney, Renovate Charlton School (100% State)	95-10-00	4,316,900	-	-	-	-	-	4,316,900
Christina, Statewide Autistic Program Expansion (100% State)	95-33-00	2,316,500	-	-	-	-	-	2,316,500
Christina, Renovate Albert H. Jones Elementary (60/40)	95-33-00	3,527,900	-	-	-	-	-	3,527,900
Christina, Renovate West Park Place Elementary (60/40)	95-33-00	3,853,000	-	-	-	-	-	3,853,000
Christina, Construct 840 Pupil Elementary (60/40)	95-33-00	7,080,900	-	-	-	-	-	7,080,900
Christina, Renovate Jennie Smith Elementary (60/40)	95-33-00	562,800	-	-	-	-	-	562,800
Christina, Renovate Gallaher Elementary (60/40)	95-33-00	404,300	-	-	-	-	-	404,300
Christina, Renovate Joseph McVey Elementary (60/40)	95-33-00	433,800	-	-	-	-	-	433,800
Christina, Renovate Newark High School (60/40)	95-33-00	438,600	-	-	-	-	-	438,600
Christina, Renovate Bancroft Elementary (60/40)	95-33-00	335,600	-	-	-	-	-	335,600
Christina, Renovate Construct 800 Pupil Elementary (60/40)	95-33-00	1,135,700	-	-	-	-	-	1,135,700
Colonial, Renovate Carrie Downie Elementary (65/35)	95-34-00	493,200	-	-	-	-	-	493,200
Colonial, Renovate Wilmington Manor Elementary (65/35)	95-34-00	2,070,900	-	-	-	-	-	2,070,900
Colonial, Renovate Colwyck Elementary (65/35)	95-34-00	3,335,800	-	-	-	-	-	3,335,800
Colonial, Renovate Harry O. Eisenberg Elementary (65/35)	95-34-00	3,422,900	-	-	-	-	-	3,422,900
Colonial, Renovate Martin Luther King Elementary (65/35)	95-34-00	2,775,500	-	-	-	-	-	2,775,500
Colonial, Renovate Pleasantville Elementary (65/35)	95-34-00	3,311,800	-	-	-	-	-	3,311,800
Indian River, Supplemental Funding 1000 Pupil High (60/40)	95-36-00	1,614,900	-	-	-	-	-	1,614,900
Indian River, Supplemental Funding 1500 Pupil High (60/40)	95-36-00	2,480,000	-	-	-	-	-	2,480,000
Indian River, Renovate Education Complex (60/40)	95-36-00	267,500	-	-	-	-	-	267,500
Indian River, Renovate Lord Baltimore Elementary (60/40)	95-36-00	482,300	-	-	-	-	-	482,300
Indian River, Renovate Indian River High (60/40)	95-36-00	172,300	-	-	-	-	-	172,300
Indian River, Renovate Sussex Central High (60/40)	95-36-00	406,700	-	-	-	-	-	406,700
Indian River, Renovate Sussex Central Middle (60/40)	95-36-00	338,900	-	-	-	-	-	338,900

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Red Clay, Renovate Linden Hill Elementary (60/40)	95-32-00	2,707,200	-	-	-	-	-	2,707,200
Red Clay, Renovate Baltz Elementary (60/40)	95-32-00	492,500	-	-	-	-	-	492,500
Red Clay, Renovate Forest Oak Elementary (60/40)	95-32-00	267,500	-	-	-	-	-	267,500
Red Clay, Renovate Mote Elementary (60/40)	95-32-00	277,300	-	-	-	-	-	277,300
Red Clay, Renovate Conrad Middle (60/40)	95-32-00	682,100	-	-	-	-	-	682,100
Red Clay, Construct New 650 Pupil Elementary (60/40)	95-32-00	581,300	-	-	-	-	-	581,300
Red Clay, Renovate Lewis Middle (60/40)	95-32-00	85,900	-	-	-	-	-	85,900
Red Clay, Renovate Richardson Park Elementary (60/40)	95-32-00	184,700	-	-	-	-	-	184,700
Red Clay, Renovate Stanton Middle (60/40)	95-32-00	126,000	-	-	-	-	-	126,000
Red Clay, Renovate A.I. Dupont High (60/40)	95-32-00	298,400	-	-	-	-	-	298,400
Red Clay, Renovate Dickinson High (60/40)	95-32-00	470,500	-	-	-	-	-	470,500
Red Clay, Renovate McKean High (60/40)	95-32-00	429,400	-	-	-	-	-	429,400
Red Clay, Renovate Heritage Elementary (60/40)	95-32-00	96,100	-	-	-	-	-	96,100
Red Clay, Renovate Marbrook Elementary (60/40)	95-32-00	81,600	-	-	-	-	-	81,600
Red Clay, Renovate Shortlidge Elementary (60/40)	95-32-00	76,500	-	-	-	-	-	76,500
Red Clay, Renovate A.I. Dupont (60/40)	95-32-00	78,800	-	-	-	-	-	78,800
Red Clay, Renovate Skyline Middle (60/40)	95-32-00	160,900	-	-	-	-	-	160,900
Red Clay, Renovate Brandywine Springs Middle (60/40)	95-32-00	10,700	-	-	-	-	-	10,700
Red Clay, Renovate H.B. DuPont Middle (60/40)	95-32-00	183,100	-	-	-	-	-	183,100
Red Clay, Renovate Meadowood (60/40)	95-32-00	52,800	-	-	-	-	-	52,800
Red Clay, Renovate Wilmington Campus	95-32-00	510,400	-	-	-	-	-	510,400
Red Clay, Renovate Telegraph Road	95-32-00	81,500	-	-	-	-	-	81,500
Woodbridge, Four Grade Addition (71/29)	95-35-00	1,600,000	-	-	-	-	-	1,600,000
Subtotal:		\$ 77,600,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77,600,800
GRAND TOTAL:		\$ 123,805,000	\$ 180,000	\$ 1,749,900	\$ 258,342,600	\$ 7,300,000	\$ 1,000,000	\$ 392,377,500

1 Section 2. Deauthorization of State Guaranteed Bonds.

2 (a) Amend Section 5054(d)(2) 29 Del. C. § 5054 (d) (2), as amended, by striking the number
3 “4,629,015” wherever it appears in said Section and inserting in lieu thereof the number “4,449,015”.

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 \$123,985,000 and in the amount of
11 \$44,922,600 local share of school bonds. Bonds authorized to be used by this Section shall mature not
12 later than 20 years from their date of issuance. The proceeds of such bonds, except for local share of
13 school bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum
14 of this Act and summarized as follows:

15 <u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
16 Office of the Budget	\$8,598,900
17 Delaware Economic Development Office	4,200,000
18 Department of State	60,000
19 Department of Administrative Services	14,748,300
20 Department of Health and Social Services	1,809,000
21 Department of Natural Resources and Environmental Control	5,725,000
22 Department of Safety and Homeland Security	548,000
23 Fire Prevention Commission	195,000
24 University of Delaware	3,500,000
25 Delaware State University	3,500,000
26 Delaware Technical and Community College	3,500,000

1	Department of Education		77,600,800	
2				
3	<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
4	Minor Capital Improvements	\$6,998,800	\$4,665,900	\$11,664,700
5	Architectural Barrier Removal	160,000	106,700	266,700
6	Colonial, Renovate Carrie Downie Elementary (65/35)	493,200	265,600	758,800
7	Colonial, Renovate Wilmington Manor			
8	Elementary (65/35)	2,070,900	1,115,100	3,186,000
9	Colonial, Renovate Colwyck Elementary (65/35)	3,335,800	1,796,200	5,132,000
10	Colonial, Renovate Harry O. Eisenberg			
11	Elementary (65/35)	3,422,900	1,843,100	5,266,000
12	Colonial, Renovate Martin Luther King			
13	Elementary (65/35)	2,775,500	1,494,500	4,270,000
14	Colonial, Renovate Pleasantville Elementary (65/35)	3,311,800	1,783,300	5,095,100
15	Indian River, Supplemental Funding 1,000-Pupil			
16	High (60/40)	1,614,900	1,076,600	2,691,500
17	Indian River, Supplemental Funding 1,500-Pupil			
18	(60/40)	2,480,000	1,653,300	4,133,300
19	Indian River, Renovate Education Complex (60/40)	267,500	178,300	445,800
20	Indian River, Renovate Lord Baltimore			
21	Elementary (60/40)	482,300	321,500	803,800
22	Indian River, Renovate Indian River High (60/40)	172,300	114,900	287,200
23	Indian River, Renovate Sussex Central High (60/40)	406,700	271,100	677,800
24	Indian River, Renovate Sussex Central Middle (60/40)	338,900	225,900	564,800
25	Brandywine, Renovate Concord High School (60/40)	12,042,600	8,028,400	20,071,000
26	Brandywine, Renovate Talley Middle School (60/40)	3,285,500	2,190,300	5,475,800

1	Caesar Rodney, Renovate Charlton School			
2	(100% State)	4,316,900	--	4,316,900
3	Christina, Statewide Autistic Program Expansion			
4	(100% State)	2,316,500	--	2,316,500
5	Woodbridge, Four Grade Addition (71/29)	1,600,000	653,500	2,253,500
6	Christina, Renovate Albert H. Jones			
7	Elementary (60/40)	3,527,900	2,351,900	5,879,800
8	Christina, Renovate West Park Place			
9	Elementary (60/40)	3,853,000	2,568,700	6,421,700
10	Christina, Construct 840-Pupil Elementary (60/40)	7,080,900	4,720,600	11,801,500
11	Christina, Renovate Jennie Smith Elementary (60/40)	562,800	375,200	938,000
12	Christina, Renovate Gallaher Elementary (60/40)	404,300	269,500	673,800
13	Christina, Renovate Joseph McVey Elementary (60/40)	433,800	289,200	723,000
14	Christina, Renovate Newark High School (60/40)	438,600	292,400	731,000
15	Christina, Renovate Bancroft Elementary (60/40)	335,600	223,700	559,300
16	Christina, Construct 800-Pupil Middle School (60/40)	1,135,700	757,100	1,892,800
17	Red Clay, Renovate Linden Hill Elementary (60/40)	2,707,200	1,804,800	4,512,000
18	Red Clay, Renovate Baltz Elementary (60/40)	492,500	328,300	820,800
19	Red Clay, Renovate Forest Oak Elementary (60/40)	267,500	178,300	445,800
20	Red Clay, Renovate Mote Elementary (60/40)	277,300	184,900	462,200
21	Red Clay, Renovate Conrad Middle (60/40)	682,100	454,700	1,136,800
22	Red Clay, Construct New 650-Pupil Elementary (60/40)	581,300	387,500	968,800
23	Red Clay, Renovate Lewis Middle (60/40)	85,900	57,300	143,200
24	Red Clay, Renovate Richardson Park Elementary			
25	(60/40)	184,700	123,100	307,800

1	Red Clay, Renovate Stanton Middle School (60/40)	126,000	84,000	210,000
2	Red Clay, Renovate A.I. Dupont High School (60/40)	298,400	198,900	497,300
3	Red Clay, Renovate Dickinson High School (60/40)	470,500	313,700	784,200
4	Red Clay, Renovate McKean High School (60/40)	429,400	286,300	715,700
5	Red Clay, Renovate Heritage Elementary (60/40)	96,100	64,100	160,200
6	Red Clay, Renovate Marbrook Elementary (60/40)	81,600	54,400	136,000
7	Red Clay, Renovate Shortlidge Elementary (60/40)	76,500	51,000	127,500
8	Red Clay, Renovate A.I. Dupont Middle School (60/40)	78,800	52,500	131,300
9	Red Clay, Renovate Skyline Middle School (60/40)	160,900	107,300	268,200
10	Red Clay, Renovate Brandywine Springs Middle			
11	School (60/40)	10,700	7,100	17,800
12	Red Clay, Renovate H.B. Dupont Middle School			
13	(60/40)	183,100	122,100	305,200
14	Red Clay, Renovate Meadowood Program (60/40)	52,800	35,200	88,000
15	Red Clay, Renovate Wilmington Campus (60/40)	510,400	340,300	850,700
16	Red Clay, Renovate Telegraph Road (60/40)	81,500	54,300	135,800
17	Subtotal	\$77,600,800	\$44,922,600	\$122,523,400
18			TOTAL	<u>\$123,985,000</u>

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

20		Authorized Vol & Ch	Project	
21	<u>Project</u>	<u>Laws of DE</u>	<u>Appropriation Code</u>	<u>Amount</u>
22	Comegys Building	71/378	30-05-10-6914	\$43,385.42
23			TOTAL	<u>\$43,385.42</u>

24 Section 5. Transfers from the State Treasurer's Bond Reversion Account. Notwithstanding the
25 provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum

1 of \$40,000 from the State Treasurer's Bond Reversion Account (94-12-05-03-8101) to the following
 2 department in the following amount for the purpose set forth in the Section 1 Addendum to this Act:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
4 Department of State (Museum Maintenance)	\$ 40,000
TOTAL	<u>\$40,000</u>

6 Section 6. Abandoned Property. For Fiscal Year 2004, 29 Del. C. § 6102 (s) shall be null and
 7 void.

8 Section 7. Continuing Appropriations. For the fiscal year ending June 30, 2003, any sums in
 9 the following accounts shall remain as continuing appropriations and shall not be subject to a reversion
 10 until June 30, 2004.

<u>Fiscal Year</u>	<u>Account Codes</u>	<u>Remarks</u>
11 1999	10-02-01-0808	Kent Radios
12 2000	10-02-01-0811	EMS
13 2000	10-02-01-0813	Local Police
14 2000	10-02-01-0814	Tech
15 2001	10-02-01-0814	Tech Fund
16 2001	10-03-03-0821	Hitechbus
17 1992	10-03-03-0182	Dover Civic
18 1999	10-03-03-0805	Dov Ctr
19 1990	10-03-03-9643	Civic Center
20 1999	10-03-03-0811	Dov Civ Cnt
21 1995	20-08-01-0182	Wil Library
22 1998	20-08-01-0801	So. Coastal
23 1999	20-08-01-0802	Gtown Lib
24 2001	20-08-01-0802	Geo Lib
25 2001	20-08-01-0811	Sea Library
26 2001	20-08-01-0815	Laurel Lib
27 2001	20-08-01-0816	Wilm Lib
28 1996	30-05-10-0192	Woodshavenk
29 2001	30-05-10-0808	MCI State
30 2001	30-05-10-0835	UST Comp
31 2001	30-05-10-0841	Campus Renewal
32 2000	30-05-10-0851	Stockley
33 2001	30-05-10-0862	Kent Co Crthse
34 2001	30-05-10-0865	Belvedere Svc Cntr
35 2001	30-05-10-0866	Harlan Bldg
36 2001	30-05-10-0868	Georgetown DMV
37 2001	30-05-10-7113	NCC Courthouse
38 2001	30-05-10-7125	KC Courthouse
39 2000	35-01-20-0810	Flouride
40 2001	35-01-20-0810	Flouridation
41 1995	40-06-02-0184	Brandy-Aqua
42 1999	40-06-02-0803	IR Marina
43 1999	40-06-02-0805	De Sea WW

1	2000	40-06-02-0805	De Sea WW
2	1999	40-06-02-0806	UST
3	1999	40-06-02-0811	De Aquat Cntr
4	1994	40-06-02-6413	Brandywine Aquatic Cntr
5	1996	40-06-02-6613	Aquatic Cntr
6	1997	40-06-02-6713	Aquatic Center
7	1991	40-06-04-6212	Aquatic Center
8	1992	40-07-02-6214	Little Mill
9	1999	95-01-01-0850	MCI Supp
10	2000	95-01-01-0850	MCI 100%
11	2001	95-13-00-0821	BT/West
12	2001	95-13-00-0822	Kent Com
13	2001	95-13-00-0825	Wm Henry MS
14	2000	95-13-00-0850	MCI
15	2001	95-13-00-7110	BT West
16	2001	95-15-00-0818	LF HS
17	2001	95-15-00-7111	LFHS Renov
18	2000	95-18-00-0812	HS Renov
19	2000	95-18-00-0815	Milford HS
20	2001	95-18-00-7114	Renov HS
21	2001	95-18-00-7115	Bann ES
22	2001	95-23-00-0821	Seaford HS
23	1999	95-23-00-7115	Blades
24	2001	95-24-00-7110	Clayton ES
25	2001	95-29-00-0820	ES Const
26	2000	95-31-00-0801	Tech Prep
27	1999	95-32-00-6932	Tech Ed
28	2000	95-32-00-0810	McKean HS
29	2000	95-32-00-0811	Baltz ES
30	2000	95-32-00-0813	Dickenson HS
31	2000	95-32-00-0820	Rich/ILC
32	2000	95-32-00-0824	Telegraph Road
33	2000	95-32-00-0825	Warner ES
34	2000	95-32-00-0826	Wilm HS
35	2000	95-32-00-0827	A.I. DuPont HS
36	2000	95-32-00-0828	Richey ES
37	2000	95-32-00-0829	Lewis ES
38	2000	95-32-00-7010	McKean HS
39	2000	95-32-00-7011	Baltz ES
40	2000	95-32-00-7013	Dickenson HS
41	2000	95-32-00-7020	Richardson Park ILC
42	2000	95-32-00-7024	Telegraph ES
43	2000	95-32-00-7025	Warner ES
44	2000	95-32-00-7026	Wilmington HS
45	2000	95-32-00-7027	A.I. DuPont HS
46	2000	95-32-00-7028	Richey ES
47	2000	95-32-00-7029	Lewis ES
48	1999	95-38-00-0803	Marsh Cafeteria
49	2001	95-38-00-0172	MCI Funds
50	2000	95-52-00-0850	MCI Fund
51	1999	95-60-00-0801	Autistic R

52 Section 8. Twenty-First Century Fund Appropriations. The General Assembly hereby authorizes

53 the amount of \$ 1,000,000 to be paid out of Twenty-First Century Fund interest. It is the intent of the

1 General Assembly that the appropriation account shall be administered through the Department of
 2 Finance. No funds shall be used for agency overhead or personnel-related costs. Any unused
 3 authorization remaining in the Project Accounts on June 30, 2005 shall revert to the Twenty-First
 4 Century Account in the Department of Finance.

<u>Purpose</u>	<u>Amount</u>
6 Department of Natural Resources and Environmental Control	
7 Clean Water State Revolving Fund	\$1,000,000
8 TOTAL	<u>\$1,000,000</u>

9 Section 9. Appropriation of General Funds. It is the intent of the General Assembly that
 10 \$7,300,000 be appropriated to the following department of the State and in the following amount for the
 11 purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or
 12 unencumbered by June 30, 2006, shall revert to the General Fund of the State of Delaware.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
14 Delaware Economic Development Office	\$7,300,000
15 TOTAL	<u>\$7,300,000</u>

17 Section 10. Library Fund Reprogramming. (a) Notwithstanding the provisions of any other state
 18 law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the
 19 balances below from the Georgetown Library project and reauthorizes the funds to the Library Projects
 20 listed in subsection (b) of this Section, according to the purposes in the Section 1 Addendum to this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Vol. & Ch.</u>	<u>Appropriation Code</u>	<u>Amount</u>
22 Department of State	72/489	20 08 01 0802	\$1,239,600
23 Department of State	72/258	20 08 01 8594	<u>470,300</u>
24 TOTAL			<u>\$1,709,900</u>

25 (b) Department, Agency, or Instrumentality

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
26 Department of State	
27 Harrington Public Library	\$413,500
28 Laurel Public Library	500,000
29 Woodlawn Public Library	<u>796,400</u>
30 TOTAL	<u>\$ 1,709,900</u>

1 Section 11. Delaware v. New York Supreme Court Decision. The Secretary of Finance shall be
2 authorized to make payments to intervenors pursuant to the settlement agreement in the Delaware v.
3 New York Supreme Court decision in the amount of \$3,300,000 due January 31, 2003, and in the
4 amount of \$17,700,000 due January 31, 2004.

5 Section 12. Public School Student E-mail Accounts. The Department of Technology and
6 Information is prohibited from establishing or maintaining State supported e-mail addresses for public
7 school students except as may be deemed necessary by the local school district. This Section shall not
8 preclude local school districts from providing student access to e-mail with local discretionary funds
9 either through their own e-mail server or through a contract with the Department of Technology and
10 Information.

11 Section 13. Resource, Conservation and Development Transfers - Project Funds Transfer from
12 Prior Fiscal Years to Fiscal Year 2004. Within the same county, any Twenty-First Century funds or
13 match remaining from completed projects as authorized as part of the Twenty-First Century Resource,
14 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for
15 RCD projects in the Fiscal Year 2004 list of projects approved as part of the Fiscal Year 2004 Capital
16 Improvement Act.

17 Section 14. First State Preservation Revolving Fund, Inc. For Fiscal Year 2004, First State
18 Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest
19 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years
20 1999 and 2000.

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

1 by the Department of Finance, Treasurer's Office and State Budget Office to anticipate cash and bond
2 requirements for the upcoming fiscal year.

3 Section 16. Notification. The Budget Director and Controller General shall notify affected state
4 agencies and other instrumentalities of the State as to certain relevant provisions of this Act.

5 Additionally, the Budget Director and Controller General shall notify the President Pro Tempore of the
6 Senate and the Speaker of the House as to any legislative appointments required by this Act.

7

1 **OFFICE OF THE BUDGET**

2 Section 17. 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.

26

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 18. Delaware Strategic Fund. Of the funds appropriated to the Delaware Strategic Fund
3 in the Section 1 Addendum of this Act, up to \$ 1,000,000 may be utilized in order to provide financial
4 assistance in the form of matching grants in an amount not greater than either \$50,000 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 19. 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 20. Delaware Industrial Park. The Delaware Economic Development Office is hereby
20 prohibited from locating any operation that involves the use of hazardous materials at the former Helix
21 Synthesis Technologies site within the Delaware Industrial Park. Hazardous materials are defined as any
22 material of a gaseous, liquid or solid form that has the potential to cause temporary or permanent harm to
23 humans or the environment.

24 Section 21. Port of Wilmington. If the Governor and the Delaware Economic Development
25 Office, at the direction of the Board of Directors of the Diamond State Port Corporation, request the
26 Delaware River and Bay Authority fund the acquisition of real property and improvements for the

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

4 Section 22. Riverfront Development Corporation. If the Governor and the Delaware Economic
5 Development Office, at the direction of the Board of Directors of the Riverfront Development
6 Corporation of Delaware, request the Delaware River and Bay Authority to fund the acquisition of real
7 property and improvements for economic development along or in proximity to the Brandywine and
8 Christina Rivers as recommended in the report of the Governor’s Task Force on the Future of the
9 Brandywine and Christina Rivers, A Vision for the Rivers (1994) pursuant to the Compact (17 Del. C.
10 § 1701) and applicable statutory requirements, and if any such project is undertaken and funded by the
11 Delaware River and Bay Authority after written approval by the Governor, then such project is hereby
12 authorized and approved by this Act.

13 Section 23. Delaware River and Bay Authority Acquisition and Development. If the Governor
14 and the Delaware Department of Natural Resources and Environmental Control (“DNREC”) request that
15 the Delaware River and Bay Authority acquire and develop real property and improvements for the
16 purpose of shoreline preservation and development (including, without limitation, wetlands and open-land
17 acquisition, active recreational and park development or facilities of commerce) along or in proximity to
18 the shoreline of the Delaware Bay and inland waters, or tributaries flowing into the Delaware Bay in the
19 vicinity of Cape Henlopen State Park (excluding lands owned by the State of Delaware, east of the Lewes
20 and Rehoboth Canal) pursuant to the Compact (17 Del. C. § 1701 et. seq.) and the applicable statutory
21 requirements, and if any such project is undertaken and funded by the Delaware River and Bay Authority
22 after written approval by the Governor, then such project is hereby authorized and approved by this
23 legislation. Any conveyance of real property and improvements owned by the State of Delaware pursuant
24 to the foregoing authority shall be exempt from the provisions of 29 Del. C. § 94 and 7 Del. C. § 45, and
25 the Governor or the Secretary of DNREC is hereby authorized to execute and deliver to the Delaware
26 River and Bay Authority a deed to such real property and improvements.

1 Section 24. Kalmar Nyckel. Until such time as all loans receivable by the Riverfront
2 Development Corporation of Delaware from the Kalmar Nyckel Foundation are paid in full to the
3 satisfaction of the Riverfront Development Corporation, the scheduling of the Kalmar Nyckel by non-
4 State entities shall require the approval of the Riverfront Development Corporation. Further, the
5 Riverfront Development Corporation is encouraged to enter into negotiations with interested parties to
6 review the disposition of loans to the Kalmar Nyckel.

7

1 **DEPARTMENT OF STATE**

2 Section 25. 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 26. 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 27. Riverfront Development Corporation Promotions. The Riverfront Development
16 Corporation is prohibited from including political profiles and statements of a political or partisan nature
17 in any advertisements or literature used to promote a cultural or recreational event being sponsored by the
18 Corporation.

19 Section 28. Veterans Cemetery-NCC. The federal government will reimburse the State 100
20 percent of the funds expended for the planning and design of the expansion of the Veterans Cemetery –
21 New Castle County. The funds received as reimbursement from the federal government shall be
22 deposited into the General Fund.

23 Section 29. Museum Maintenance. The Section 1 Addendum to this Act appropriates \$100,000
24 to the Department of State for museum maintenance. It is the intent of the General Assembly that these
25 funds be retained by the Department of State, Division of Historical and Cultural Affairs for use with the
26 operations of state museums or for immediate, unscheduled repairs to those facilities under the control of
27 the Division of Historical and Cultural Affairs.

1 **DEPARTMENT OF FINANCE**

2 Section 30. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue
3 Code of 1986, as amended, whenever the General Assembly authorizes the issuance of the state's
4 General Obligation bonds or the Delaware Transportation Authority's (the "Authority") revenue bonds
5 to finance the costs of specific capital projects, it is the intent of the General Assembly that the interest
6 on such bonds shall not be included in gross income for federal income tax purposes under Section 103
7 of the Internal Revenue Code of 1986, as amended, and the United States Treasury Regulations (the
8 "Regulations") thereunder as they may be promulgated from time to time. Pursuant to the state's budget
9 and financial policies, other than unexpected situations where surplus revenues render bond financing
10 unnecessary or undesirable, no funds other than the proceeds of such bonds, are or are reasonably
11 expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the state to pay the
12 costs of such specific capital projects. Pursuant to the Authority's budget and financial policies, it is
13 expected that approximately 50 percent of the costs of its capital projects shall be funded on a long-term
14 basis from the proceeds of such bonds. However, after the authorization of such bonds but prior to their
15 issuance, non-bond funds from the state's General Fund or the Authority's Transportation Trust fund or
16 other funds may be advanced on a temporary basis to pay a portion of the costs of such specific capital
17 projects. In that event, it is expected that these non-bond funds will be reimbursed from the proceeds of
18 such bonds when they are issued. This reimbursement may cause a portion of such bonds to become
19 "reimbursement" bonds within the meaning of Section 1.150-2 of the Regulations. Under those
20 Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal
21 income tax purposes, it may be necessary to make a declaration of official intent. The Secretary of
22 Finance is hereby designated as the appropriate representative of the State and the Secretary of
23 Transportation is hereby designated as the appropriate representative of the Authority, and each is
24 authorized to declare official intent on behalf of the state or the Authority, as the case may be, within the
25 meaning of Section 1.150-2 of the Regulations, whenever and to the extent that such declaration is
26 required to preserve such tax treatment.

1 Section 31. Qualified Zone Academy Bonds. A portion of the general obligation bonds

2 authorized under this Act for a school construction project may be issued in the form of “Qualified Zone
3 Academy Bonds” within the meaning of the federal Taxpayer Relief Act of 1997 (the QZAB’s). Such
4 portion shall be equal to the maximum amount of QZAB’s which may be issued under such act.

5 Preference for use of the authorization shall be given to eligible special schools that are funded with 100
6 percent state funds and subsequently, schools authorized under this Act with the highest percentage of
7 free and reduced lunch counts for the 2001-2002 school year that elect to participate in the QZAB
8 program as determined by the Department of Education. The Secretary of Finance is hereby authorized to
9 determine the terms and conditions of the QZAB’s and the manner by which they shall be awarded to the
10 purchasers thereof, including private negotiated sale, notwithstanding anything to the contrary contained
11 in Chapter 74, Title 29 of the Delaware Code; provided that the requirements of Chapter 7422 of Title 29
12 of the Delaware Code must be observed.

13

1 **DEPARTMENT OF ADMINISTRATIVE SERVICES**

2 Section 32. Construction Management. Notwithstanding any other state law, the Department of
3 Administrative Services (“Department”) shall be responsible for the design and construction of all the
4 projects listed under “Department of Administrative Services” in the Section 1 Addendum of this Act.
5 For those projects that are solely for the purchase of equipment, including projects that are funded in any
6 “MCI and Equipment” line, or any “MCI” line the department shall transfer the appropriate funding
7 necessary to purchase the equipment to the agency for which the equipment is being purchased. The
8 appropriate amount of funding shall be determined and agreed to by the Department and the agency for
9 which the equipment is being purchased by September 1, 2003. For those projects for which the
10 appropriation is passed to an entity and for which the state is not a party to the construction contract, the
11 department shall provide technical assistance.

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

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

26 (c) Except as outlined in subsection (b) above, the use of Minor Capital Improvement and
27 Equipment funds in order to ensure completion of a Major Capital Improvement project involving

1 construction of a new facility is prohibited unless the use of such funds are necessary due to a legal
2 settlement or emergency or unforeseen conditions as determined by the Secretary of the Department of
3 Administrative Services, the Budget Director, the Controller General and the Co-Chairs of the Joint
4 Legislative Committee on the Capital Improvement Program.

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

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

11 Section 33. Minor Capital Improvements and Equipment Supplement - Department of
12 Administrative Services. Notwithstanding the provisions of any other State law to the contrary, not
13 more than \$200,000 may be expended to enter into contractual agreements for project representatives
14 and associated administrative support to ensure adequate oversight of State construction projects. The
15 Secretary of Administrative Services is directed to provide an itemized budget for this amount to the
16 Controller General by August 1, 2003, and expenditure reports to the Controller General by December 1,
17 2003 and June 1, 2004.

18 Section 34. New Castle County Courthouse. Notwithstanding any law or local governmental
19 ordinance, resolution, or any deed restrictions to the contrary, the Secretary of Administrative Services
20 shall designate the name of any state-owned or state-operated courthouse or other judicial building or
21 facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
22 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
23 any statues or memorials in or on the grounds of such courthouse or judicial building of facility.

24 Section 35. Prison Construction – Delaware Correctional Center. In the course of major or minor
25 capital improvement projects at the Delaware Correctional Center, the Department of Administrative
26 Services shall apply for all permits and approvals required pursuant to any applicable provision of 9 and
27 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 36. Troop 2 Property. It is the intent of the General Assembly that no portion of the
6 lands located at 168 South DuPont Highway and formerly the site of Troop 2 of the State Police shall be
7 declared as surplus property without the prior approval of the Co-Chairs of the Joint Legislative
8 Committee on the Capital Improvement Program, the Controller General and the Budget Director.

9 Section 37. Belvedere Service Center. It is the intent of the General Assembly that
10 notwithstanding any state laws to the contrary, neither the Department of Administrative Services nor the
11 state shall be held responsible for any liabilities that may be associated with drainage problems that
12 occurred prior to the date of the transfer of title to the department that result in the flooding of properties
13 adjacent to the Absalom Jones School.

14

1 **DEPARTMENT OF CORRECTION**

2 Section 38. Prison Construction. (a) The Secretary of the Department of Administrative
3 Services, as provided through construction management services, shall consult with the Commissioner
4 of Correction to ensure expedient programming, planning and construction of authorized correctional
5 facilities. None of the funds authorized herein or in prior fiscal years are intended to supplant federal
6 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 39. Community Restoration. The Department of Correction may, to the extent resources
13 and appropriately classified offenders are available, direct these offenders to assist with community
14 restoration projects. These projects may include beautification, clean up and restoration efforts requested
15 by civic, governmental and fraternal organizations approved by the Commissioner.

16

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

2 Section 40. 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 41. 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 42. DNREC Land Acquisition. Except for land acquired by approval of the Open
25 Space Council or approved through a Bond and Capital Improvements Act, land shall not be purchased
26 by the Department of Natural Resources and Environmental Control without prior approval of the Co-
27 Chairs of the Joint Legislative Committee on the Capital Improvement Program provided, however, that

1 the department is not prohibited from conducting studies, surveys or other contractual arrangements that
2 would normally precede land acquisition procedures.

3 Section 43. Land and Water Conservation Trust Fund Interest. Of the interest monies generated
4 on the principal deposited in the Land and Water Conservation Trust Fund before 1995, no more than
5 \$40,000 may be spent for the combined administrative costs of the Open Space Council and the Council
6 on Greenways and Trails.

7 Section 44. Open Space Match Requirements. Notwithstanding the provisions of 29 Del. C. §
8 6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of
9 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby
10 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land
11 purchase if it can be demonstrated that meeting said match requirements would prevent the timely
12 purchase of said parcel.

13 Section 45. Army Corps of Engineers Project Cooperation Agreements. By using funds
14 approved by Bond and Capital Improvements Acts, the Secretary of the Department of Natural Resources
15 and Environmental Control is authorized to sign Project Cooperation Agreements with the Department of
16 the Army and other appropriate sponsors for planning, construction, operation and maintenance for
17 projects entered into by said Agreements.

18 Section 46. Indian River Marina. (a) In accordance with the provisions of 73 Del. Laws, c. 350,
19 § 70, the Department of Natural Resources and Environmental Control (DNREC) under the direction of
20 the Budget Director may utilize up to \$8,800,000 in funds from Twenty-First Century Fund for the Parks
21 Endowment Account as established in § 6102A(e), Title 29, Delaware Code for the purpose of
22 revitalizing and enhancing public amenities within the Delaware Seashore State Park in and around the
23 Indian River Marina Complex and related support facilities as presented to the Joint Legislative
24 Committee on Capital Improvements on May 15, 2002. DNREC will repay both the principal borrowed
25 and interest on the principal borrowed equal to that interest lost as a result of borrowing from the
26 Account. Repayment shall not exceed twenty years.

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

7 Section 47. Aquatic Center. Notwithstanding any state law to the contrary, it is the intent of the
8 General Assembly that the Secretary of Finance and the Budget Director shall have full authority to
9 negotiate with any interested parties the construction of a swimming pool with the funds remaining as of
10 June 30, 2002 in appropriations Fiscal Year 1991 (40-06-04-6212), Fiscal Year 1992 (40-06-04-6212),
11 Fiscal Year 1994 (40-06-02-6413), Fiscal Year 1995 (40-06-02-0184), Fiscal Year 1996 (40-06-02-6613),
12 Fiscal Year 1997 (40-06-02-6713) and Fiscal Year 1999 (40-06-02-0811). Of the funds available in these
13 appropriations, up to \$50,000 may be used to develop plans and recommendations regarding the size,
14 location, and design of the pool and any related infrastructure and amenities that may be a part of the final
15 recommendations. In no case shall the final recommendations include any proposal that will oblige the
16 state to incur any of the costs associated with operating or maintaining the pool or any associated
17 complex. The Secretary of Finance and the Budget Director shall make their recommendations available
18 to the Co-Chairs of the Joint Legislative Committee on Capital Improvements. The Co-Chairs of the
19 Joint Legislative Committee on Capital Improvements shall have the final approval authority to accept the
20 recommendations and to direct the implementation of the recommendations.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 48. 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 \$283,257,600 (State
6 \$188,941,900; Federal \$94,315,700) are authorized to be withdrawn from the Transportation Trust Fund
7 to carry out the projects and programs as set forth in the Section 1 Addendum of this Act.

8 (b) New Transportation Trust Fund Debt Authorizations. To fund a portion of the projects
9 authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an
10 amount not to exceed \$93,000,000 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more
11 than \$88,200,000 shall be used for purposes set forth in the Section 1 Addendum of this Act with the
12 remainder, not to exceed \$4,800,000, to be used to fund issuance costs and necessary reserves for the
13 Reserve Account.

14 Section 49. Highway Operations Facilities. The following building structures and facilities
15 constructed or to be constructed within the Department of Transportation's operating rights-of-way for
16 the Interstate Highway System and State Route 1, that are used to assist in the operational and
17 maintenance activities for such roads, shall not be subject to zoning, subdivision, or building code
18 ordinances or regulations by any political subdivision of the State: a) Expressways Maintenance
19 Headquarters (equipment shed, roof replacement and HVAC); b) Tybouts Corner Maintenance Area
20 (equipment sheds, salt storage facility, and one-story area office building); and c) Talley Road
21 Maintenance Area (equipment sheds, storage facility, salt storage facility and security/privacy barrier).
22 The Department shall not construct any such facility or make improvements in any such existing facility
23 without first conducting a public workshop to describe such plans and gather public input into the effect
24 of such plans.

25 Section 50. Transit Bus Shelter Advertising. The General Assembly acknowledges the work of
26 the Delaware Transit Corporation ("DTC") in developing and implementing a transit shelter improvement
27 program. Part of the program involves the use of contractual advertising on the downstream panel of such

1 shelters, to offset the capital and maintenance costs of such shelters, as contemplated in 17 Del. C. c. 11.
2 The General Assembly finds that such advertising is appropriate when located in most areas, but is
3 inappropriate in certain areas. Notwithstanding any other state or local law to the contrary, contractual
4 advertising under the DTC program shall be permitted, except in the following locations: (a) within a
5 residential subdivision, except at its entrance; (b) within 50 feet of a residence; (c) within 100 feet of any
6 property designated as an historic resource under federal, state, or local law; or (d) within 150 feet of
7 areas experiencing continually high incident rates of drug offenses or crimes against persons, measured
8 on a calendar-year basis, as designated by the State Bureau of Identification or the applicable local police
9 agency.

10 Section 51. Route 7 and Valley Road Project. Pursuant to previous legislation directing the
11 Department to design and construct certain permanent drainage improvements, as well as certain other
12 transportation, recreational, cultural, educational and open space improvements in the area of the newly
13 completed intersection of Route 7 and Valley Road in New Castle County, the Department has developed
14 a master plan for the implementation of such improvements, hereafter referred to as the (“Project”).
15 Notwithstanding the provisions of any state laws or regulations to the contrary, the Department is now
16 authorized and directed to:

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

18 (b) Negotiate with private entities pursuant to the provisions of Subsection (a) of this Section, so as
19 to complete the Project on a timely basis, provided that the drainage portions of the Project shall
20 meet the following conditions:

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

26 2. Plugging of culverts installed in connection with the Improvements shall remain and continue,
27 and a weir gate system or other appropriate technology shall be used to limit the stream flow

1 to 250 cfs +/- during construction of the Project and until satisfactory completion of the
2 Project; and

3 (c) Make such other improvements to the adjacent land so as to maximize the recreational, cultural,
4 educational and open space potential of the Project, consistent with improving the safety of
5 pedestrians, bicyclists, and motorists traveling through the area of the Project. The Department
6 may, at its discretion, and on such terms as it deems advisable, dispose of any undeveloped land
7 in the vicinity of the Project to public and/or private entities for the permanent protection of open
8 space, and to enter into such agreements with public and/or private entities as may be necessary
9 to insure that the portions of the Project developed for recreational, educational, or cultural
10 enjoyment are most effectively managed for the benefit of the citizens of the State.

11 Section 52. Road System. Section 1 Addendum of this Act appropriates the sum of
12 \$188,941,900 for projects within the Road System classification. Notwithstanding the provisions of any
13 state law to the contrary, the General Assembly further defines its intent with respect to those
14 appropriations as follows:

15 (a) Surface Treatment Pavement Conversion Program. The Department is authorized to continue
16 operating its Surface Treatment Pavement Conversion Program, under the following provisions:

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

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

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

1 economically feasible. The Department shall use this priority list in determining the sequence of
2 projects undertaken within this program.

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

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

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

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

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

16 Section 53. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum of
17 \$26,100,000 (State) for projects within the Grants and Allocations classification. Notwithstanding the
18 provisions of any state law to the contrary, the General Assembly further defines its intent with respect to
19 those appropriations as follows:

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

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

25 Section 54. Transit System. The Section 1 Addendum of this Act appropriates the sum of
26 \$17,082,900 (State \$ 7,448,000 and Federal \$9,634,900) for projects within the Transit System

1 classification. Notwithstanding provision of any state law to the contrary, the General Assembly further
2 defines its intent with respect to the appropriation that follows:

3 (a) 5310 Program. The Delaware Transit Corporation is authorized to expend up to \$1,266,000
4 (State \$933,000; Federal \$333,000) from the Transit System classification (73/00) appropriated in this
5 Act for the 5310 Program, administered by the Federal Transit Authority.

6 Section 55. Support System. The Section 1 Addendum of this Act appropriates the sum of
7 \$47,037,700 (State \$35,852,700; Federal \$11,185,000) for projects within the Support System
8 classification. Notwithstanding the provisions of any state law to the contrary, the General Assembly
9 further defines its intent with respect to those appropriations as follows:

10 (a) Transportation Facilities. The Section 1 Addendum of this Act appropriates \$ 9,000,000
11 (State) for the improvement and adaptation of Departmental facilities. In administering this
12 appropriation, the Secretary shall insure that the Department's Maintenance Yards, especially those in the
13 Central District are properly upgraded to provide necessary facilities for the welfare and comfort of the
14 Department's personnel, and the safekeeping of all equipment.

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

1 **DEPARTMENT OF AGRICULTURE**

2 Section 56. Farmland Preservation Operating Expenses. Of the funds that remain in the
3 Department of Finance, Office of the Secretary, Fiscal Year 2001 appropriation (25-01-01-8712), it is the
4 intent of the General Assembly that:

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

11

FIRE PREVENTION COMMISSION

Section 57. Hydraulic Rescue Tools Replacement: It is the intent of the General Assembly that the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Christiana, Clayton, Dover, Milton, South Bowers and the joint station to be opened for Lewes and Rehoboth volunteer fire companies. Upon submitting the receipts of sale, each company will be reimbursed up to \$7,500 by the Fire Prevention Commission - State Fire School (75-02-01).

1 **HIGHER EDUCATION**

2 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

3 Section 58. College-wide Asset Preservation Program. Section 1 of this Act provides funds for
4 Delaware Technical and Community College (90-04-00) for the College-wide Asset Preservation
5 Program. This appropriation may be used for the acquisition of computer hardware and software.

6 Section 59. Instructional Space Expansion. The funds remaining in the Delaware Technical and
7 Community College, Fiscal Year 2003 appropriation (90-04-04-0809), Fiscal Year 2002 appropriation
8 (90-04-04-9600) and Fiscal Year 2001 appropriation (90-04-04-0809) may be used to equip as well as to
9 lease, purchase or rent additional classroom space in order to increase the space available to expand the
10 Nursing Program of the College.

11

1 **DEPARTMENT OF EDUCATION**

2 Section 60. 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 61. School Building and Custodial Verification. By September 30 of each calendar year,
14 each school district shall notify the Department of Education of its intended use for each school building
15 and administrative office building. School districts shall notify the department about changes in the use
16 of such buildings to include the sale of property, closing of a building, lease of property to another
17 agency, and additions and renovations. The Department of Education shall establish a standard reporting
18 mechanism that school districts shall utilize to gather and submit required information.

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

21 Section 62. Neighborhood Schools. During the Fiscal Year ending June 30, 2002, \$2,500,000
22 was appropriated to the Department of Education for Neighborhood Schools Plans. This appropriation is
23 intended to offset local documented costs incurred by the school districts for the development, approval
24 and implementation of their neighborhood schools plans pursuant to 14 Del. C. § 223 and 72 Del. Laws,
25 c. 287. The reimbursement criteria for documented, allowable costs shall be determined by the Budget
26 Director and Controller General, in consultation with the Department of Education. In no such instance
27 shall reimbursements be made for costs incurred by a local school district prior to April 20, 2000.

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

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

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

16 Section 63. School Construction Market Pressure. It is the intent of the General Assembly that
17 the sum of \$4,094,900 appropriated to the Department of Education in Section 1 of this Act be utilized by
18 the Indian River School District to enable them to maintain a high level of construction quality in the
19 environment of increased market pressure and escalating costs. This funding will be provided to the
20 following districts:

21	DISTRICT	SCHOOL	STATE	LOCAL MATCH
22	Indian River	1,000-Pupil HS	\$1,614,900	\$1,076,566
23	Indian River	1,500-Pupil HS	\$2,480,000	\$1,653,300

24 Notwithstanding any provisions of the Delaware Code to the contrary, the local school district is required
25 to pay for the local share of each project under this section. The following funds may be used to meet the
26 required local match: Minor Capital Improvement Funds and/or Division III Equalization. Districts may
27 also elect to finance the local match in accordance with the provisions of Chapter 21, Title 14 of the

1 Delaware Code upon passage of a successful referendum for such purpose. In order to access the state
2 funds, district must notify the Department of Education, the Budget Director and the Office of the
3 Controller General which option the district has chosen.

4 Section 64. Land Donation for School Construction. Any land donated to a school district with
5 an approved major capital improvement program shall be required to return to the state one-half of the
6 state share amount originally budgeted for land purchase costs. In such case, the district shall be entitled
7 to keep the remaining one-half state share amount, as well as the full local share amount in accordance
8 with the certificate of necessity.

9 Section 65. Red Clay School District Land Purchase. The Red Clay School District shall be
10 required to return the state share of funds budgeted for land purchase and extraordinary site work, which
11 are not used for such purposes. Extraordinary site work shall include upgrading road access at school
12 entrances, tie-in to DeIDOT storm water management pond, extending water and sewer main utilities to
13 the school site, additional leveling, fill and grading of building site and parking lots, and related soft costs
14 as approved by the Department of Education.

15 Section 66. New Castle County School Student Population Review. It is the intent of the
16 General Assembly that no new Certificate of Necessity as outlined in Chapter 75, Title 29 of the
17 Delaware Code shall be authorized for a new high school within the Appoquinimink School District until
18 such time as the Department of Education, the Controller General and the Budget Director have met with
19 representatives from the Appoquinimink School District and the New Castle County Vocational
20 Technical School District to discuss the available student populations to insure that there are sufficient
21 students available for both the proposed new vocational-technical high school and a new high school
22 within the Appoquinimink School District.

23 Section 67. Minor Capital Improvements. It is the intent of the General Assembly that the sum of
24 \$6,998,800 allocated in Section 1 of this Act be used for minor capital improvements to school buildings
25 in the following amounts. Districts must use the funds in the amounts below on projects listed on the
26 facility assessment website hosted by the Department of Education.

1		Maximum	Maximum	
2	<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
3	Appoquinimink	\$332,486	\$221,657	\$554,143
4	Brandywine	610,276	406,851	1,017,127
5	Special	8,435	0	8,435
6	Christina	1,101,497	734,331	1,835,828
7	Special	39,397	0	39,397
8	Colonial	589,686	393,124	982,810
9	Special	10,065	0	10,065
10	New Castle Vo Tech	323,322	0	323,322
11	Red Clay	889,102	592,735	1,481,837
12	Special	14,378	0	14,378
13	Caesar Rodney	329,783	219,855	549,638
14	Special	18,788	0	18,788
15	Capital	346,864	231,243	578,107
16	Special	5,751	0	5,751
17	Lake Forest	196,294	130,863	327,157
18	Milford	215,331	143,554	358,885
19	Polytech	108,030	0	108,030
20	Smyrna	186,401	124,267	310,668
21	Cape Henlopen	238,049	158,699	396,748
22	Special	11,694	0	11,694
23	Delmar	58,608	39,072	97,680
24	Indian River	435,723	290,482	726,205
25	Special	15,337	0	15,337
26	Laurel	115,027	76,685	191,712
27	Seaford	197,041	131,361	328,402
28	Sussex Vo-Tech	115,698	0	115,698

1	Woodbridge	109,161	72,774	181,935
2	Campus Community	31,920	0	31,920
3	East Side Charter	6,442	0	6,442
4	Kuumba Academy	11,733	0	11,733
5	Marion T. Academy	33,818	0	33,818
6	M.O.T. Charter	30,195	0	30,195
7	Newark Charter	31,115	0	31,115
8	Positive Outcomes	4,486	0	4,486
9	Providence Creek	27,089	0	27,089
10	Sussex Academy	17,887	0	17,887
11	Thomas A. Edison	43,078	0	43,078
12	Wilmington	53,775	0	53,775
13	Total to Schools	6,913,762	3,967,553	10,881,315
14	Vocational Equipment	85,000	56,667	141,667
15	TOTAL	\$6,998,762	\$4,024,220	\$11,022,982

16 Section 68. Bond Verification. All bonds issued, or herein before or herein authorized to be
17 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

18 Section 69. Inconsistency. Insofar as the provisions of this Act are inconsistent with the
19 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
20 controlling.

21 Section 70. Severability. If any section, part, phrase, or provision of this Act or the application
22 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
23 operation to the section, part, phrase, provision, or application directly involved in the controversy in
24 which such judgment shall have been rendered and shall not affect or impair the validity of the
25 remainder of this Act or the application thereof.

1 Section 71. Effective Date. This Act shall take effect in accordance with the provisions of state
2 law.

SYNOPSIS

This Bill is the FY 2004 Bond and Capital Improvements Act.

Author: Office of the Budget