



SPONSOR: Sen. Venables Rep. Lofink
Blevins Carey
Cook Lavelle
McDowell Stone
Simpson Ennis
Still Mulrooney
Manolakos
Viola

DELAWARE STATE SENATE
144th GENERAL ASSEMBLY

SENATE BILL NO. 155

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; 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-fourths of all members elected to each house thereof concurring therein):

1 Section 1. Fiscal Year 2008 Capital Improvements Project Schedule Addendum. The General Assembly hereby
2 authorizes the following projects in the following amounts for the purposes set forth in this Section and as described in the
3 Fiscal Year 2008 Governor's Recommended Capital Budget and Project Information document. Any authorization balance
4 (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30, 2010, shall be subject
5 to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
OFFICE OF MANAGEMENT AND BUDGET							
800 MHz	10-02-05	\$ 12,700,000	\$ -	\$ -	\$ -	\$ -	\$ 12,700,000
ERP Project	10-02-05	-	20,000,000	-	-	-	20,000,000
Local Law Enforcement Technology and Education Fund	10-02-05	-	-	-	-	1,350,000	1,350,000
Technology Fund - Attorney General Case Management System	10-02-05	-	-	-	-	200,000	200,000
Delaware Health Information Network (DHIN)	10-02-05	-	-	-	-	3,000,000	3,000,000
State Employee Workforce, Education and Training Center	10-02-50	6,500,000	-	-	-	-	6,500,000
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	3,000,000	3,000,000
Environmental Compliance	10-02-50	-	-	-	-	500,000	500,000
Architectural Barrier Removal	10-02-50	-	-	-	-	150,000	150,000
Kent County Court Complex	10-02-50	3,656,900	-	-	-	-	3,656,900
Belvedere State Service Center	10-02-50	-	-	-	-	200,000	200,000
<i>Judicial Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	500,000	500,000
<i>Department of State Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	750,000	750,000
<i>Health and Social Services Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	3,500,000	3,500,000
Fire Sprinkler Upgrades	10-02-50	-	-	-	-	1,293,600	1,293,600
Delaware Psychiatric Center Critical Deferred Maintenance	10-02-50	-	-	-	-	1,567,300	1,567,300
<i>Services for Children, Youth and Their Families Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	750,000	750,000
<i>Correction Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	3,000,000	3,000,000
Comprehensive Inmate Medical Facilities Study	10-02-50	-	-	-	-	500,000	500,000
Kitchen Renovations and Equipment	10-02-50	-	-	-	-	500,000	500,000
BWCI Multi Purpose Room	10-02-50	-	250,000	-	-	-	250,000
<i>Safety and Homeland Security Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	600,000	600,000
<i>Delaware National Guard Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	-	-	-	-	500,000	500,000
Subtotal:		\$ 22,856,900	\$ 20,250,000	\$ -	\$ -	\$ 21,860,900	\$ 64,967,800

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
DELAWARE ECONOMIC DEVELOPMENT OFFICE							
Strategic Fund	10-03-03	\$ -	\$ -	\$ -	\$ -	12,000,000	12,000,000
New Economy Initiative Year IV	10-03-03	-	-	-	-	5,000,000	5,000,000
Fraunhofer Vaccine Development	10-03-03	-	-	-	-	1,000,000	1,000,000
Diamond State Port Corporation	10-03-03	-	-	-	-	3,000,000	3,000,000
Riverfront Development Corporation	10-03-03	-	-	-	-	2,000,000	2,000,000
Delaware Civic Center	10-03-03	2,000,000	-	-	-	-	2,000,000
Subtotal:		\$ 2,000,000	\$ -	\$ -	\$ -	23,000,000	25,000,000
DELAWARE STATE HOUSING AUTHORITY							
Housing Development Fund - Preservation	10-08-01	\$ 7,500,000	\$ -	\$ -	\$ -	-	7,500,000
Housing Development Fund - Emergency Mortgage Assistance	10-08-01	\$ -	-	-	-	500,000	500,000
Subtotal:		\$ 7,500,000	\$ -	\$ -	\$ -	500,000	8,000,000
STATE							
Sussex County Veterans Cemetary	20-01-04	\$ -	\$ -	\$ -	\$ -	252,000	252,000
Museum Maintenance	20-06-04	-	-	-	-	350,000	350,000
City of New Castle Old Academy Building	20-06-04	-	-	-	-	287,000	287,000
South Coastal Library	20-08-01	109,600	890,400	-	-	-	1,000,000
Subtotal:		\$ 109,600	\$ 890,400	\$ -	\$ -	889,000	1,889,000
HEALTH AND SOCIAL SERVICES							
Maintenance and Restoration	35-01-30	\$ -	\$ -	\$ -	\$ -	2,500,000	2,500,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	2,500,000	2,500,000
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES							
Maintenance and Restoration	37-01-15	\$ -	\$ -	\$ -	\$ -	100,000	100,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	100,000	100,000

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
CORRECTION							
Maintenance and Restoration	38-01-40	\$ -	\$ -	\$ -	\$ -	\$ 3,135,400	\$ 3,135,400
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ 3,135,400	\$ 3,135,400
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL							
Minor Capital Improvement and Equipment	40-01-01	\$ -	\$ -	\$ -	\$ -	\$ 600,000	\$ 600,000
Park Development/Rehabilitation	40-06-02	-	2,500,000	-	-	-	2,500,000
Retention Ponds	40-07-02	-	-	-	-	2,300,000	2,300,000
Buried Debris Pit Remediation	40-07-02	-	-	-	-	1,000,000	1,000,000
Tax/Public Ditches	40-07-02	-	79,100	-	-	1,320,900	1,400,000
Dam Emergency Planning	40-07-02	-	1,000,000	-	-	-	1,000,000
Beach Preservation	40-07-03	-	5,037,500	-	-	-	5,037,500
Conservation Cost Share	40-07-04	-	-	-	-	3,205,000	3,205,000
Combined Sewer Overflow (CSO)	40-08-01	-	600,000	-	-	-	600,000
Subtotal:		\$ -	\$ 9,216,600	\$ -	\$ -	\$ 8,425,900	\$ 17,642,500
SAFETY AND HOMELAND SECURITY							
State Police Helicopter (Lease Payment)	45-01-01	\$ -	\$ -	\$ -	\$ -	\$ 641,000	\$ 641,000
Twin Engine Helicopter Lease Purchase	45-01-01	-	-	-	-	1,868,000	1,868,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ 2,509,000	\$ 2,509,000
TRANSPORTATION							
Road System	55-05-00	\$ -	\$ -	\$ 50,572,746	\$ 142,375,254	\$ -	\$ 192,948,000
Grants and Allocations	55-05-00	-	-	-	23,100,000	-	23,100,000
Transit System	55-05-00	-	-	311,031	14,357,969	-	14,669,000
Support System	55-05-00	-	-	5,027,740	20,297,260	-	25,325,000
Subtotal:		\$ -	\$ -	\$ 55,911,517	\$ 200,130,483	\$ -	\$ 256,042,000

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
AGRICULTURE							
Forestland Preservation Program	65-01-01	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Subtotal:		\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
FIRE PREVENTION COMMISSION							
Concrete Repair	75-02-01	\$ -	\$ -	\$ -	\$ -	65,000	\$ 65,000
Rescue Tool Replacement	75-02-01	-	-	-	-	30,000	30,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	95,000	\$ 95,000
UNIVERSITY OF DELAWARE							
Brown Laboratory Renovation	90-01-01	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000
Carvel Research and Education Center	90-01-01	-	-	-	-	200,000	200,000
Subtotal:		\$ 3,500,000	\$ -	\$ -	\$ -	200,000	\$ 3,700,000
DELAWARE STATE UNIVERSITY							
Minor Capital Improvement and Equipment	90-03-01	\$ -	\$ -	\$ -	\$ -	3,500,000	\$ 3,500,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	3,500,000	\$ 3,500,000
DELAWARE TECHNICAL AND COMMUNITY COLLEGE							
Excellence Through Technology Campaign	90-04-01	\$ -	\$ -	\$ -	\$ -	300,000	\$ 300,000
Collegewide Asset Preservation Program	90-04-01	-	-	-	-	1,400,000	1,400,000
Stanton/Wilmington Renovations	90-04-01	-	-	-	-	480,000	480,000
Campus Improvements: Owens Campus	90-04-02	-	-	-	-	380,000	380,000
Campus Improvements: Terry Campus	90-04-06	613,600	326,400	-	-	-	940,000
Subtotal:		\$ 613,600	\$ 326,400	\$ -	\$ -	2,560,000	\$ 3,500,000

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
EDUCATION							
Minor Capital Improvement and Equipment	95-01-01	\$ -	\$ -	\$ -	\$ -	\$ 7,233,800	\$ 7,233,800
Architectural Barrier Removal	95-01-01	-	-	-	-	160,000	160,000
Tech Prep Delaware (100% State)	95-01-01	-	100,000	-	-	-	100,000
Caesar Rodney, Renovate/Add to McIlvaine Kindergarten (80/20)	95-10-00	3,106,000	-	-	-	-	3,106,000
Caesar Rodney, Renovate Reily Brown Elementary School (80/20)	95-10-00	2,836,400	-	-	-	-	2,836,400
Capital, Gym Replacement and Auditorium Renovation, Central Middle School (72/28)	95-13-00	2,463,500	-	-	-	-	2,463,500
Capital, Land Acquisition for New High School (72/28)	95-13-00	7,920,000	-	-	-	-	7,920,000
Capital, Construct New 600 Pupil Elementary School (72/28)	95-13-00	2,684,100	-	-	-	-	2,684,100
Lake Forest, Renovate North Elementary School (80/20)	95-15-00	460,800	-	-	-	-	460,800
Lake Forest, Renovate Chipman Middle School (80/20)	95-15-00	861,500	-	-	-	-	861,500
Lake Forest, High School Performing Arts Renovation and Addition (80/20)	95-15-00	1,732,300	-	-	-	-	1,732,300
Lake Forest, Renovate W.T. Chipman Middle School (80/20)	95-15-00	360,700	-	-	-	-	360,700
Lake Forest, Renovate South Elementary School (80/20)	95-15-00	242,200	-	-	-	-	242,200
Lake Forest, Renovate East Elementary School (80/20)	95-15-00	70,600	-	-	-	-	70,600
Lake Forest, Renovate Lake Forest High School (80/20)	95-15-00	473,400	-	-	-	-	473,400
Cape Henlopen, Construct 1,600 Pupil High School (60/40)	95-17-00	25,000,000	-	-	-	-	25,000,000
Cape Henlopen, Renovate and Add to H.O. Brittingham Elementary School (60/40)	95-17-00	1,267,700	-	-	-	-	1,267,700
Cape Henlopen, Renovate and Add to Richard Shields Elementary School (60/40)	95-17-00	1,278,000	-	-	-	-	1,278,000
Cape Henlopen, Renovate and Add to Milton Elementary School (60/40)	95-17-00	1,293,000	-	-	-	-	1,293,000
Cape Henlopen, Renovate Rehoboth Elementary School (60/40)	95-17-00	1,357,400	-	-	-	-	1,357,400
Cape Henlopen, Renovate Lewes 9th Grade Academy (60/40)	95-17-00	390,600	-	-	-	-	390,600
Milford, Land Acquisition for 720 Pupil Elementary School (77/23)	95-18-00	770,000	-	-	-	-	770,000
Milford, Construct 1,000 Pupil Middle School (77/23)	95-18-00	2,000,000	-	-	-	-	2,000,000
Milford, Land Acquisition for 1,000 Pupil Middle School (77/23)	95-18-00	3,080,000	-	-	-	-	3,080,000
Milford, Renovate E.I. Morris ECC (77/23)	95-18-00	177,600	-	-	-	-	177,600

SECTION 1 ADDENDUM
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION REAUTHORIZA- TION AND REPROGRAMMING	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
Milford, Renovate Milford High School and Site Upgrades (77/23)	95-18-00	2,476,500	-	-	-	-	2,476,500
Smryna, Renovate and Add to Smryna High School (80/20)	95-24-00	8,000,000	-	-	-	-	8,000,000
Smryna, Land Acquisition for 600 Pupil Clayton Intermediate School (80/20)	95-24-00	280,000	-	-	-	-	280,000
Appoquinimink, Construct Early Childhood Center (73/27)	95-29-00	5,536,300	-	-	-	-	5,536,300
Appoquinimink, Construct MOT Area 840 Pupil Elemenary School (73/27)	95-29-00	2,150,300	-	-	-	-	2,150,300
Brandywine, Renovate P.S. duPont Elementary School (60/40)	95-31-00	1,874,300	-	-	-	-	1,874,300
Brandywine, Construct 600 Pupil ES - Replace Lancashire Elementary School (60/40)	95-31-00	5,884,800	-	-	-	-	5,884,800
Brandywine, Renovate Springer Middle School (60/40)	95-31-00	13,952,700	-	-	-	-	13,952,700
Brandywine, Renovate Hanby Middle School (60/40)	95-31-00	1,600,000	-	-	-	-	1,600,000
Colonial, Renovate and Reconfigure McCullough Elementary School (67/33)	95-34-00	5,143,600	-	-	-	-	5,143,600
Colonial, Renovate William Penn High School (67/33)	95-34-00	7,151,800	-	-	-	-	7,151,800
Colonial, Renovate Gunning Bedford Middle School (67/33)	95-34-00	1,145,200	698,100	-	-	-	1,843,300
Colonial, Renovate Wilmington Manor Elementary School (67/33)	95-34-00	2,021,800	-	-	-	-	2,021,800
Colonial, Renovate George Reed Middle School (67/33)	95-34-00	4,051,700	-	-	-	-	4,051,700
Polytech, Renovation and HVAC System Replacement (80/20)	95-39-00	1,617,200	-	-	-	-	1,617,200
Sussex Technical, Renovate High School (60/40)	95-40-00	354,300	-	-	-	-	354,300
Sussex Technical, Water System Replacement (60/40)	95-40-00	53,600	-	-	-	-	53,600
Christina, Sterck School (100% State)	95-51-00	10,000,000	-	-	-	-	10,000,000
Subtotal:		\$ 133,119,900	\$ 798,100	\$ -	\$ -	\$ 7,393,800	\$ 141,311,800
TWENTY-FIRST CENTURY FUND PROJECTS							
Clean Water State Grant	25-01-01	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,000,000
Resource, Conservation and Development	25-01-01	-	2,000,000	-	-	-	2,000,000
Drinking Water State Revolving Fund	25-01-01	-	419,000	-	-	1,231,000	1,650,000
Subtotal:		\$ -	\$ 3,419,000	\$ -	\$ -	\$ 1,231,000	\$ 4,650,000
GRAND TOTAL:		\$ 170,700,000	\$ 34,900,500	\$ 55,911,517	\$ 200,130,483	\$ 77,900,000	\$ 539,542,500

1 Section 2. Authorization of Twenty-Year Bonds. The State hereby authorizes the issuance of
2 bonds, to which the State shall pledge its full faith and credit, such bonds to be issued in such principal
3 amount as necessary to provide proceeds to the State in the amount of \$170,700,000 and in the amount of
4 \$58,842,800 local share of school bonds. Bonds authorized to be used by this Section shall mature not
5 later than 20 years from their date of issuance. The proceeds of such bonds, except for local share of
6 school bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of
7 this Act and summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of Management and Budget	\$22,856,900
Delaware Economic Development Office	2,000,000
Delaware State Housing Authority	7,500,000
Department of State	109,600
Agriculture	1,000,000
University of Delaware	3,500,000
Delaware Technical and Community College	613,600
Education	133,119,900

<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
Caesar Rodney, Renovate/Add to McIlvaine ES (80/20)	\$3,106,000	\$776,500	\$3,882,500
Caesar Rodney, Renovate Reilly Brown ES (80/20)	2,836,400	709,100	3,545,500
Capital, Gym Replacement and Renovation, Central Middle School (72/28)	2,463,500	958,100	3,421,600
Capital, Land Acquisition for New HS (72/28)	7,920,000	3,080,000	11,000,000
Capital, Construct 600 Pupil ES (72/28)	2,684,100	1,043,800	3,727,900
Lake Forest, Renovate North ES (80/20)	460,800	115,200	576,000
Lake Forest, Renovate Chipman MS (80/20)	861,500	215,300	1,076,800
Lake Forest, High School Performing Arts Renovation			

1	And Addition (80/20)	1,732,300	433,000	2,165,300
2	Lake Forest, Renovate Chipman MS (80/20)	360,700	90,200	450,900
3	Lake Forest, Renovate South ES (80/20)	242,200	60,500	302,700
4	Lake Forest, Renovate East ES (80/20)	70,600	17,700	88,300
5	Lake Forest, Renovate Lake Forest HS (80/20)	473,400	118,400	591,800
6	Cape Henlopen, Construct 1,600 Pupil HS (60/40)	25,000,000		25,000,000
7	(Full Local Share in FY 2007)			
8				
9	Cape Henlopen, Construct 1,600 Pupil HS		2,989,900	2,989,900
10	(Additional Local Share Only)			
11				
12	Cape Henlopen, Renovate and Add to	1,267,700		1,267,700
13	H.O. Brittingham ES (60/40)			
14	(Full Local Share in FY 2007)			
15				
16	Cape Henlopen, Renovate and Add to	1,278,000		1,278,000
17	Shields ES (60/40)			
18	(Full Local Share in FY 2007)			
19				
20	Cape Henlopen, Renovate and Add to	1,293,000		1,293,000
21	Milton ES (60/40)			
22	(Full Local Share in FY 2007)			
23				
24	Cape Henlopen, Renovate Rehoboth ES	1,357,400		1,357,400
25	(60/40)			
26	(Full Local Share in FY 2007)			
27				
28	Cape Henlopen, Renovate Lewes	390,600		390,600
29	9 th Grade Academy (60/40)			
30	(Full Local Share in FY 2007)			
31	Milford, Land Acquisition for 720 Pupil ES (77/23)	770,000	230,000	1,000,000
32	Milford, Construct 1,000 Pupil MS (77/23)	2,000,000	597,400	2,597,400
33	Milford, Land Acquisition for 1,000 Pupil MS (77/23)	3,080,000	920,000	4,000,000
34	Milford, Renovate E.I. Morris ECC (77/23)	177,600	53,100	230,700
35	Milford, Renovate Milford HS and Site Upgrades (77/23)	2,476,500	739,700	3,216,200
36	Smyrna, Renovate and Add to Smyrna HS (80/20)	8,000,000	2,000,000	10,000,000
37	Smyrna, Land Acquisition for 600 Pupil IS (80/20)	280,000	70,000	350,000
38	Appoquinimink, Construct ECC (73/27)	5,536,300	2,047,700	7,584,000

1	Appoquinimink, Construct 840 Pupil ES (73/27)	2,150,300	6,362,100	8,512,400
2	(Additional Local Match Requested)			
3	Appoquinimink, Synthetic Turf Athletic Fields (Local Only)		2,623,200	2,623,200
4	Appoquinimink, District Office Purchase/Renovation (Local Only)		3,620,100	3,620,100
5	Brandywine, Renovate P.S. Dupont ES (60/40)	1,874,300	1,249,500	3,123,800
6	Brandywine, Construct 600 Pupil ES (60/40)	5,884,800	3,923,200	9,808,000
7	Brandywine, Construct 600 Pupil ES (Local Only)		3,351,600	3,351,600
8				
9	Brandywine, Renovate Springer MS (60/40)	13,952,700	9,301,900	23,254,600
10	Brandywine, Renovate Hanby MS (60/40)	1,600,000	1,066,700	2,666,700
11	Colonial, Renovate and Reconfigure	5,143,600		5,143,600
12	McCullough ES (67/33)			
13	(Full Local Share in FY 2007)			
14				
15	Colonial, Renovate William Penn HS (67/33)	7,151,800	3,522,500	10,674,300
16	(Additional Local Match Requested)			
17				
18	Colonial, Renovate Gunning Bedford MS (67/33)	1,145,200	2,888,800	4,034,000
19	(Additional Local Match Requested)			
20	Colonial, Renovate Wilmington Manor ES (67/33)	2,021,800	995,800	3,017,600
21	Colonial, Renovate George Reed MS (67/33)	4,051,700	1,995,600	6,047,300
22	Polytech, Renovate and HVAC Replacement (80/20)	1,617,200	404,300	2,021,500
23	Sussex Technical, Renovate High School (60/40)	354,300	236,200	590,500
24	Sussex Technical, Water System Replacement (60/40)	53,600	35,700	89,300
25	Christina, Sterck School for the Deaf (100% State)	10,000,000		10,000,000
26				
27	Subtotal	\$133,119,900	\$58,842,800	\$191,962,700
28			TOTAL	<u>\$170,700,000</u>

29 Section 3. Transfers to the State Treasurer's Bond Reversion Account.

30	<u>Project</u>	<u>Project</u>	<u>Amount</u>
31		<u>Appropriation Code</u>	
32	Prison Construction	1998-10-02-50-6812	\$14,445.00

1	NCC Courthouse	2001-10-02-50-7113	\$7,372.05
2	Women's Prison	2001-10-02-50-7122	\$118,555.49
3	Buena Vista	2002-10-02-50-7201	\$0.29
4	NCC Veteran's Cemetery	2002-10-02-50-7217	724,481.37
5	Newark Library	2002-20-08-01-7210	16,560.88
6	Inland Bays Signage	2002-40-08-02-7210	9,077.00
7		TOTAL	<u>\$890,492.08</u>

8 Section 4. Transfers from the State Treasurer's Bond Reversion Account. Notwithstanding the
9 provisions of any other State law, the State Treasurer shall transfer, as funds become available, the sum of
10 \$890,400 from the State Treasurer's Bond Reversion Account (94-12-05-03-8101) to the following
11 department in the following amount for the purpose set forth in the Section 1 Addendum to this Act:

12	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
13	Department of State	
14	(South Coastal Library)	\$890,400
15		TOTAL
		<u>\$890,400</u>

16 Section 5. Transfers to the State Treasurer's School Bond Reversion Account.

17			Project
18	<u>Project</u>	<u>Appropriation Code</u>	<u>Amount</u>
19	Renovate Caesar Rodney HS	2002-95-10-00-7210	\$706.85
20	Architecture Barrier Removal	2003-95-29-00-7301	\$0.77
21	Harlan ES	1999-95-31-00-6915	\$555.00
22	Richey ES	2000-95-32-00-7028	\$3,939.74
23	Cobbs/Gauger MS	1996-95-33-00-6614	\$279.00
24	Jones ES	2003-95-33-00-7310	\$62.74
25	Kirk MS	2003-95-33-00-7313	\$583.73
26	New Castle MS	2003-95-34-00-7312	\$33,284.08
27	Martin Luther King ES	2004-95-34-00-7418	\$611,906.20

1 Pleasantville ES 2004-95-34-00-7419 \$46,796.84

2 **TOTAL** **\$698,114.95**

3 Section 6. Transfers from the State Treasurer's School Bond Reversion Account.

4 Notwithstanding the provisions of any other State law, the State Treasurer shall transfer, as funds become
5 available, the sum of \$698,100 from the State Treasurer's Bond Reversion Account (94-12-05-03-8102) to
6 the following department in the following amount for the purpose set forth in the Section 1 Addendum to
7 this Act:

8 Department, Agency, or Instrumentality Amount

9 Department of Education
10 (Colonial, Renovate Gunning Bedford MS) \$698,100

11 **TOTAL** **\$698,100**

12 Section 7. Appropriation of General Funds. It is the intent of the General Assembly that \$76,669,000
13 be appropriated to the following departments of the State and in the following amount for the purposes set
14 forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30,
15 2010, shall revert to the General Fund of the State of Delaware. The State hereby authorizes the issuance of
16 bonds, to which the State shall pledge its full faith and credit, such bonds to be issued in such principal
17 amount as necessary to provide proceeds to the State in the amount of \$4,191,711 local share of school bonds.
18 Bonds authorized to be used by this Section shall mature not later than 20 years from their date of issuance.

19 Department, Agency, or Instrumentality Amount

20 Office of Management and Budget \$21,860,900

21 Delaware Economic Development Office 23,000,000

22 Delaware State Housing Authority 500,000

23 Department of State 889,000

24 Department of Health and Social Services 2,500,000

25 Department of Services for Children, Youth and Their Families 100,000

26 Department of Correction 3,135,400

1	Department of Natural Resources and Environmental Control			8,425,900
2	Department of Safety and Homeland Security			2,509,000
3	Fire Prevention Commission			95,000
4	University of Delaware			200,000
5	Delaware State University			3,500,000
6	Delaware Technical and Community College			2,560,000
7	Department of Education			7,393,800
8			<u>Maximum</u>	
9	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
10	Minor Capital Improvement	\$7,233,800	\$4,085,011	\$11,318,811
11	and Equipment			
12	Architectural Barrier Removal	160,000	106,700	266,700
13	Subtotal	\$7,393,800	\$4,191,711	\$11,585,511
14		TOTAL		<u>\$76,669,000</u>

15 Section 8. General Funds to 21st Century Funds. It is the intent of the General Assembly that
16 \$1,231,000 be appropriated from General Funds to the Office of the Secretary, Department of Finance (25-
17 01-01) to be deposited into the Twenty-First Century Fund as established by 29 Del. C. §6102A. These
18 funds shall be appropriated for the following purposes set forth in the Section 1 Addendum to this Act:

19	<u>Purpose</u>		<u>Amount</u>
20	Drinking Water State Revolving Fund		\$1,231,000
21		TOTAL	<u>\$1,231,000</u>

22 Section 9. Continuing Appropriations. For the fiscal year ending June 30, 2007, any sums in the
23 following accounts shall remain as continuing appropriations and shall not be subject to a reversion until
24 June 30, 2008.

25	<u>Fiscal Year</u>		<u>Remarks</u>
26	<u>Appropriation</u>	<u>Account Codes</u>	
27	2005	02-17-01-0805	COTS
28	2004	10-02-02-0815	Technology
29	2004	10-02-02-0816	Technology

1	2005	10-02-05-0805	COTS
2	2005	10-02-05-0813	Law Enforcement Technology
3	2004	10-02-05-0814	Technology Fund
4	2005	10-02-05-0821	Comm Redev
5	2007	10-02-11-0980	Emergency Relief
6	2005	10-02-50-0801	MCI
7	2005	10-02-50-0805	MCI Judicial
8	2005	10-02-50-0810	MCI - DSCYTF
9	2004/05	10-02-50-0813	Troop 5 Conversion
10	2004/05	10-02-50-0827	Armory Conversion
11	2004	10-02-50-0835	UST/Asbestos
12	2005	10-02-50-0848	Bacon Site
13	2005	10-02-50-0851	Stockley Medical Center
14	2005	10-02-50-0875	Old New Castle Courthouse
15	2005	10-02-50-0878	Vets Home
16	2005	10-02-50-0879	Sussex Courthouse
17	2005	10-02-50-0882	Facilities Space Study
18	2005	10-02-50-0883	Wall Repair, HRYCI
19	2005	10-02-50-0886	STARC Headquarters
20	2005	10-02-50-0888	Old Courthouse Renovations
21	2003	10-02-50-7310	Sussex Courthouse
22	2003	10-02-50-7312	MCI Correction
23	2004	10-02-50-7411	Kent County Courthouse
24	2005	10-02-50-7511	Kent County Courthouse
25	1992	10-03-03-0182	Dover Civic Center
26	1999	10-03-03-0805	Dover Civic Center
27	2005	10-03-03-0805	Delaware Civic Center
28	2001	10-03-03-0821	High Tech Incubator
29	2002	10-03-03-7212	High Technology Incubator
30	2003	10-03-03-7311	High Technology Incubator
31	2002	12-05-03-0888	GF Cap Reprogramming
32	1994	12-05-03-8101	Agency Reversions
33	1994	12-05-03-8102	School Reversions
34	2005	20-01-02-0821	WW II Memorial
35	2005	20-06-04-0801	Museum Maintenance
36	2005	20-06-04-0820	Robinson House
37	1995	20-08-01-0182	Wilmington Library
38	1999	20-08-01-0802	Georgetown Library
39	2001	20-08-01-0802	Georgetown Library
40	2004	20-08-01-0803	Harrington Library
41	2004	20-08-01-0804	Hockessin Library
42	2005	20-08-01-0817	Seaford Library
43	2005	20-08-01-0818	Kirkwood Library
44	2005	20-08-01-0820	Greenwood Library
45	1996	20-08-01-6616	North Wilmington Library
46	2001	20-08-01-7110	Bridgeville Library
47	2002	20-08-01-7217	Seaford Library
48	2002	20-08-01-7219	Harrington Library
49	2002	20-08-01-7220	Coastal Library
50	2003	20-08-01-7312	Seaford Library
51	2002	25-01-01-7212	Wastewater
52	2003	25-01-01-7311	Water Control Rev Fund
53	2005	35-01-30-0803	DHSS Maintenance
54	2005	35-01-30-0812	MCI

1	2004	35-05-20-0802	Drinking Water
2	2005	35-05-20-0810	Flouridation
3	2004	37-01-25-0822	Cleve White Bldg Renovations
4	2007	38-01-40-0801	Admin Expansion
5	2000	40-05-01-0802	Newport Boat Ramp
6	2001	40-05-02-0802	Boat Ramp
7	2004/05	40-05-02-0803	Dams/Water Control
8	2005	40-05-02-0820	Ommelanden Range
9	2004	40-06-02-0804	Park Rehabilitation
10	2005	40-06-02-0820	State Park Facilities
11	2001	40-07-02-0804	Hazard Study
12	1993	40-07-02-6313	Resource, Conservation & Dev
13	2003	40-07-02-7312	Resource, Conservation & Dev
14	2005	40-07-03-0802	Doxsee Improvements
15	2001	40-08-01-0800	Wilmington Sewer
16	2001	40-08-01-0801	Wilmington Sewer
17	2004	40-08-01-0802	Wilmington Sewer
18	2005	40-08-01-0802	Wilmington Sewer
19	2005	40-09-03-0819	HM/Eden Park
20	2005	90-03-01-0197	MCI/Equipment
21	2004	90-03-01-0802	Airway Science
22	2002	90-03-01-7215	Sports/Wellness Center
23	2002	90-03-01-7217	Technology Building
24	2003	90-03-01-7311	Sports/Wellness Center
25	2004	90-03-01-7411	Sports/Wellness Center
26	2005	90-04-05-0809	Stanton Expansion
27	2005	90-04-06-0802	Technology Building, Terry
28	2005	95-01-01-0801	Arch Accessibility
29	2004/05	95-01-01-0893	MCI
30	2005	95-02-02-0877	Mkt Pressure
31	2005	95-10-00-0873	MCI/VE
32	2005	95-15-00-0872	MCI
33	2005	95-15-00-0881	Mkt Pres New ES
34	2004	95-17-00-0818	A/C Sussex Consortium
35	2005	95-17-00-7513	6 Classroom Addition
36	2005	95-18-00-0801	Arch. Barrier
37	2005	95-23-00-0884	Market Pressure
38	1997	95-23-00-6713	Seaford HS
39	1997	95-23-00-6714	Seaford MS
40	1998	95-23-00-6815	Seaford MS
41	2005	95-24-00-0881	Mk Pres New ES
42	2003	95-24-00-7310	District Offices
43	2003	95-24-00-7311	JB Moore MS
44	2004	95-29-00-0873	MCI/VE
45	2005	95-29-00-0884	Mkt Pres New MS
46	2004	95-29-00-7411	Redding MS
47	2005	95-29-00-7519	1000 Pupil MS
48	2005	95-29-00-7520	1600 Pupil HS
49	2004	95-31-00-0802	Concord HS
50	2004	95-31-00-0803	Forwood ES
51	2004/05	95-31-00-0807	Tech Prep
52	2005	95-31-00-0808	Dem Channin
53	2005	95-31-00-0872	MCI
54	2005	95-31-00-0873	MCI/VE

1	2005	95-31-00-0883	Mkt 600 Pupil ES
2	2005	95-31-00-0884	Mkt Pres Brandywood
3	2005	95-31-00-0885	Mkt Pres Lombardy
4	2002	95-31-00-7213	Mount Pleasant
5	2003	95-31-00-7312	Mt. Pleasant ES
6	2005	95-31-00-7516	Talley MS
7	2005	95-32-00-0832	Dickinson Field
8	2005	95-32-00-0876	Mkt Pres Warner ES
9	2005	95-32-00-0877	Mkt Pres Balt ES
10	2005	95-32-00-0881	Mkt Pres Rich Park ES
11	2005	95-32-00-0892	Mkt Pres New ES
12	2004	95-32-00-7409	Baltz ES
13	2004	95-32-00-7417	Linden Hill
14	2004	95-32-00-7420	Richey ES
15	2004	95-32-00-7425	Warner ES
16	2004	95-32-00-7433	New 640 Pupil ES
17	2005	95-32-00-7510	Thomas McKean HS
18	2005	95-32-00-7512	Conrad MS
19	2005	95-32-00-7513	Dickinson HS
20	2005	95-32-00-7519	Stanton MS
21	2005	95-32-00-7521	AI DuPont HS
22	2005	95-32-00-7529	William Lewis MS
23	2005	95-32-00-7534	Richardson Park ES
24	2004	95-33-00-0803	Renovate Pool
25	2005	95-33-00-0872	MCI
26	2004/05	95-33-00-0873	MCI/VE
27	2003	95-33-00-7311	Brookside ES
28	2003	95-33-00-7315	Palmer IS
29	2003	95-33-00-7316	840 Pupil ES
30	2004	95-33-00-7411	Brookside ES
31	2004	95-33-00-7413	Kirk MS
32	2004	95-33-00-7414	Pulaski ES
33	2004	95-33-00-7415	Palmer ES
34	2004	95-33-00-7416	Jennie Smith ES
35	2004	95-33-00-7418	McVey ES
36	2004	95-33-00-7419	Newark HS
37	2004	95-33-00-7420	Bancroft ES
38	2004	95-33-00-7422	Renovate Pool
39	2004	95-33-00-7423	Portables
40	2005	95-33-00-7516	840 Pupil ES
41	2005	95-33-00-7517	Gallaher ES
42	2005	95-33-00-7518	McVey ES
43	2005	95-33-00-7519	Newark HS
44	2005	95-33-00-7520	Bancroft ES
45	2005	95-33-00-7524	Autism Expansion
46	2005	95-33-00-7525	Christiana HS
47	2005	95-33-00-7526	Jennie Smith ES
48	2005	95-33-00-7527	Drew Pyle
49	2005	95-33-00-7528	Maclary ES
50	2005	95-33-00-7529	Wilson ES
51	2005	95-33-00-7530	John Downs ES
52	2005	95-33-00-7531	New Elementary
53	2005	95-35-00-7512	Athletic Fields
54	2005	95-35-00-7513	Renovate Athletic Fields

1	2003	95-36-00-7312	Frankford ES
2	2004	95-36-00-7419	Indian River HS
3	2005	95-36-00-7512	Renovate Frankford, ES
4	2005	95-36-00-7518	Renovate Lord Balt ES
5	2005	95-36-00-7519	Renovate HS
6	2005	95-36-00-7522	Renovate Sussex HS
7	2005	95-36-00-7524	Sussex Central MS
8	2005	95-37-00-0883	6 Classroom Add
9	2005	95-37-00-7510	Cafeteria Renovations
10	2005	95-37-00-7511	Capital Outlay Equipment
11	2002	95-38-00-7210	1000 Pupil HS
12	2003	95-38-00-7310	1000 Pupil HS

13 Section 10. General Fund Reprogramming. (a) Notwithstanding the provisions of any other State
14 law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the
15 balances below from the following General Fund projects and reauthorizes the funds to the departments
16 listed in subsection (b) of this Section, according to the purposes in the Section 1 Addendum to this Act.

17	<u>Department, Agency, or Instrumentality</u>	<u>Appropriation Code</u>	<u>Amount</u>
18	Office of Management and Budget		
19	Local Law Enforcement T&E	2004-10-02-05-0813	\$44,666.73
20	Christina School District Loan	2006-10-02-11-0881	\$5,000,000.00
21	Emergency Relief	2007-10-02-11-0980	\$2,895,000.00
22	New Castle County DMV Lanes	2004-10-02-50-0821	\$292,655.02
23	Carvel Plaza Deck	2005-10-02-50-0836	\$465.72
24	NCC Courthouse	2001-10-02-50-0874	\$0.47
25	Capital Security	2005-10-02-50-0887	\$0.70
26	NCC Old Family Court	2005-10-02-50-0888	\$100,000.00
27	Power Line Relocation	2005-10-02-50-0890	\$40,000.00
28	Department of State		
29	Selbyville Library	2004-20-08-01-0810	\$18,381.11
30	Laurel Library	2004-20-08-01-0815	\$374,198.87
31	Department of Health and Social Services		

1	Paramedic Program Operations	2007-35-05-30-0977	\$350,000.00
2	Department of Education		
3	Minor Capital Improvements	2004-95-01-01-0893	\$9,861.00
4	Full-day Kindergarten	2006-95-01-01-0804	\$2,516,800.00
5		TOTAL	<u>\$11,642,029.62</u>

6	<u>(b) Department, Agency, or Instrumentality</u>		<u>Amount</u>
7	Office of Management and Budget		
8	(ERP Project)		\$1,874,400
9	(BWCI Multi Purpose Room)		250,000
10	Natural Resources and Environmental Control		
11	(Park Development/Rehabilitation)		2,500,000
12	(Tax/Public Ditches)		79,100
13	(Dam Emergency Planning)		1,000,000
14	(Beach Preservation)		5,037,500
15	(Combined Sewer Overflow – CSO)		469,600
16	Delaware Technical and Community College		
17	(Campus Improvements: Terry Campus)		326,400
18	Department of Education		
19	(Tech Prep Delaware – 100% State)		100,000
20			
21		TOTAL	<u>\$11,637,000</u>

22 Section 11. Appropriation of Special Funds. There is hereby appropriated \$7,100 from the Office
23 of Management and Budget special fund appropriation 2007-10-02-05-8023 (Local Law Enforcement);
24 \$2,549,400 from the Office of Management and Budget special fund appropriation 2007-10-02-11-8500
25 (Market Pressure Repayment); and \$2,850,000 from the Office of Management and Budget special fund
26 appropriation 2007-10-02-11-8501 (Christina Loan Repayment) to the following departments in the
27 following amounts for the purposes set forth in the Section 1 Addendum of this Act. Any project funds
28 remaining unexpended or unencumbered by June 30, 2008 shall revert to the General Fund of the State of
29 Delaware.

30	<u>Department, Agency, or Instrumentality</u>		<u>Amount</u>
31	Office of Management and Budget		
32	(ERP Project)		\$5,406,500

1 **TOTAL** **\$5,406,500**

2 Section 12. Appropriation of Bond Premium. Notwithstanding the provisions of 29 Del. C. §7414
3 (a), of the available premium from bonds or revenue notes sold after January 1, 2004, \$8,897,100 shall be
4 used in the following amount for the purpose set forth in the Section1 Addendum to this Act:

5 Department, Agency, or Instrumentality Amount

6 Office of Management and Budget
7 (ERP Project) \$8,897,100

8 **TOTAL** **\$8,897,100**

9 Section 13. Appropriation of Special Funds. There is hereby appropriated the sum of \$298,510
10 from the Bond Sale 185 account; the sum of \$423,800 from the Bond Sale 183 account; the sum of
11 \$211,800 from the G/O 1/03 account; the sum of \$220,960 from the Bond Sale 189 account; the sum of
12 \$1,315,440 from the Bond Sale 191 account; and the sum of \$1,351,490 from the Bond Sale 193 account,
13 all held by the State Treasurer, to the following departments in the following amounts for the purposes set
14 for in the Section 1 Addendum of this Act. Any project funds remaining unexpended or unencumbered by
15 June 30, 2008 shall revert to the General Fund of the State of Delaware.

16 Department, Agency, or Instrumentality Amount

17 Office of Management and Budget
18 (ERP Project) \$3,822,000

19 **TOTAL** **\$3,822,000**

1 Section 14. Appropriation of Special Funds. There is hereby appropriated the sum of \$130,400
 2 from the Aquatic Interest account (2007-12-05-03-8800) within the State Treasurer’s Office to the
 3 following departments in the following amounts for the purposes set for in the Section 1 Addendum of this
 4 Act. Any project funds remaining unexpended or unencumbered by June 30, 2008 shall revert to the
 5 General Fund of the State of Delaware.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Natural Resources and Environmental Control (Combined Sewer Overflow)	\$130,400
TOTAL	<u>\$130,400</u>

10 Section 15. Twenty-First Century Funds Appropriations. The General Assembly hereby
 11 authorizes the amount of \$3,419,000 to be paid out of Twenty-First Century Fund interest. It is the intent
 12 that the appropriation account shall be administered through the Department of Finance. No funds shall be
 13 used for agency overhead or personnel-related costs. Any unused authorization remaining in the Project
 14 Accounts on June 30, 2010 shall revert to the Twenty-First Century Account in the Department of
 15 Finance.

<u>Purpose</u>	<u>Amount</u>
Clean Water State Grant	\$1,000,000
Resource, Conservation and Development	2,000,000
Drinking Water State Revolving Fund	419,000
TOTAL	<u>\$3,419,000</u>

21 Section 16. Resource, Conservation and Development Transfers - Project Funds Transfer from
 22 Prior Fiscal Years to Fiscal Year 2008. Within the same county, any Twenty-First Century funds or match
 23 remaining from completed projects as authorized as part of the Twenty-First Century Resource,
 24 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for RCD
 25 projects in the Fiscal Year 2008 list of projects approved as part of the Fiscal Year 2008 Capital
 26 Improvements Act.

1 Section 17. Amend 29 Del. C. §6102A (h) (6) by deleting the word “Drainage” as it appears
2 therein and inserting in lieu thereof the word “Any”.

3 Section 18. First State Preservation Revolving Fund, Inc. For Fiscal Year 2008, First State
4 Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest
5 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999
6 and 2000.

7 Section 19. Downtown Milford Inc. Any Community Redevelopment Fund appropriations to
8 Downtown Milford Inc. – Structural and Façade Improvements may be used for private businesses and
9 residences, as well as, institutional residences provided said properties are within the Downtown Milford
10 project area.

11 Section 20. Laurel Redevelopment Corporation. Any proceeds from the sale of property funded in
12 whole or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation shall
13 be reinvested in the Medical Center project.

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

22 Section 22. Notification. The Director of the Office of Management and Budget and Controller
23 General shall notify affected state agencies and other instrumentalities of the State as to certain relevant
24 provisions of this Act. Additionally, the Director of the Office of Management and Budget and Controller
25 General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any
26 legislative appointments required by this Act.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 Section 23. Law Enforcement Technology and Education Fund. The Section 1 Addendum to this
3 Act appropriates \$1,350,000 for Law Enforcement Technology and Education Fund. Of these funds,
4 \$1,250,000 is for Technology reimbursement as provided in subsection (a) and the remaining \$100,000 is
5 for educational reimbursement as provided for in subsection (b).

6 (a) Technology. This fund is to be administered by the Office of Management and Budget, subject
7 to the review of the Technology Investment Council, to eligible agencies and applicants as follows:

8 1. Beginning with the quarter ending September 30, each eligible entity shall submit quarterly an
9 application with receipts from the previous quarter for reimbursement for maintenance of
10 LiveScan fingerprint technology and automated mugshot technology as well as receipts for
11 mobile data terminal line costs. In no instance shall the yearly reimbursements for such costs
12 exceed the amount appropriated.

13 2. After LiveScan and mugshot costs together with mobile data terminal fees are satisfied for the
14 fiscal year, departments may submit applications for their respective remaining balance with
15 receipts for reimbursement for maintenance costs and upgrading of communications equipment,
16 digital cameras, digital fingerprinting systems, automatic external defibrillators and supplies and
17 computer systems used by state, county and local law enforcement agencies. Of the funds
18 remaining, each agency shall be eligible for a reimbursement of actual costs of not less than one
19 thousand dollars (\$1,000) per department plus a share of account balances based on the number
20 of sworn police officers and up to available funding.

21 3. Eligible agencies shall be defined as those agencies required to be trained under the provisions of
22 the Delaware Police Training Act.

23 (b) Education Reimbursement. A certified police officer or other law enforcement officer as
24 defined in 11 Del. C. §1911(a) or a State of Delaware Probation and Parole Officer employed by the
25 Department of Correction who is employed full-time in the State is eligible for post-secondary education
26 tuition reimbursement under the following conditions:

- 1 1. The officer must make application for tuition reimbursement in accord with rules and regulations
2 promulgated by the Director of the Criminal Justice Council or the Director's designee.
- 3 2. Education benefits authorized by this Section may be used only at a college or university within
4 the State.
- 5 3. An officer may not attend a class or course of instruction during scheduled work hours unless the
6 officer uses his or her earned leave or earned compensation time.
- 7 4. An officer may be reimbursed under this program for only two (2) classes or courses of
8 instruction for undergraduate study or one (1) class or course for graduate study per grading
9 period. The classes will be reimbursed at 100 percent of the tuition paid following the
10 completion of the course with a grade of 'C' or better at a college or university within the State for
11 classes related to Corrections, Public Safety, Criminal Justice, Computer Science, Psychology,
12 Sociology, Education and related fields. Related fields shall include any courses necessary to
13 complete a degree program in Criminal Justice, Corrections, Public Safety, Computer Science,
14 Psychology, Sociology and Education.
- 15 5. A class or course of instruction taken under this Section must:
 - 16 i. improve an officer's competence and capacity in employment;
 - 17 ii. have direct value to the State; and
 - 18 iii. provide knowledge or skills that are not available through in-service or other professional
19 training.
- 20 6. In order to receive tuition reimbursement for a post-secondary class or course of instruction
21 authorized by this Section, an officer must:
 - 22 i. earn a grade no lower than a 2.0 on a 4.0 scale, or its equivalent, for each class or course
23 of instruction for which the tuition reimbursement is granted. In any class or course of
24 instruction for which a specific grade is not issued, the officer must show documentation
25 to verify satisfactory completion; and

- 1 ii. submit to the Director of the Criminal Justice Council or the Director's designee within
2 30 days after completing a class or course of instruction proof of:
- 3 (1) the course title and grade received;
4 (2) the amount of tuition paid for the course; and
5 (3) the name of the post-secondary institution where the course was taken.
- 6 7. The Director of the Criminal Justice Council or the designee shall adopt rules and regulations as
7 deemed necessary and proper for the efficient administration of this Section. The rules and
8 regulations must contain appeal procedures.
- 9 8. An officer who receives tuition reimbursement pursuant to this Section but is terminated from
10 law enforcement employment for cause or who otherwise fails to comply with any requirement of
11 this Section shall immediately become ineligible to receive education benefits pursuant to this
12 Section and shall repay all tuition reimbursement previously extended to the employee, including
13 interest on a pro rata basis from the time of termination or noncompliance. The Director of the
14 Criminal Justice Council or the Director's designee shall determine the amount of repayment due
15 by the employee pursuant to this Subsection. If law enforcement employment is terminated for
16 other than just cause, the officer will not be required to repay previously reimbursed tuition.
- 17 9. Nothing in this Section is intended to inhibit or deny officer promotion or transfer to other law
18 enforcement agencies within this State.
- 19 10. The Director of the Criminal Justice Council shall include in the agency's annual report:
- 20 i. the number of officers who participated at each post-secondary educational institution
21 during the year;
- 22 ii. the total amount of tuition expenditures made pursuant to this Section during the year not
23 to exceed \$100,000;
- 24 iii. the total amount required to be repaid to the State by defaulting officers during the year;
25 and
- 26 iv. the total amount actually repaid by defaulting officers during the year.

1 Section 24. Construction Management. Notwithstanding any other State law, the Office of
2 Management and Budget (OMB) shall be responsible for the design and construction of all the projects
3 listed under “Office of Management and Budget” in the Section 1 Addendum of this Act. For those
4 projects that are solely for the purchase of equipment, including projects that are funded in any “MCI and
5 Equipment” line, or any “MCI” line OMB shall transfer the appropriate funding necessary to purchase the
6 equipment to the agency for which the equipment is being purchased. The appropriate amount of funding
7 shall be determined and agreed to by OMB and the agency for which the equipment is being purchased by
8 September 1 of each fiscal year. For those projects for which the appropriation is passed to an entity and
9 for which the State is not a party to the construction contract, OMB shall provide technical assistance.

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

19 (b) The use of Minor Capital Improvement and Equipment funds in order to ensure completion of a
20 Major Capital Improvement project involving construction of a new facility is prohibited unless the use of
21 such funds are necessary due to a legal settlement or emergency or unforeseen conditions as determined by
22 the Director of the Office of Management and Budget, the Controller General and the Co-Chairs of the Joint
23 Legislative Committee on the Capital Improvement Program.

24 (c) A quarterly status report shall be submitted to the Controller General on all incomplete projects.

25 (d) No project’s budget should be increased beyond what is appropriated in any Bond and Capital
26 Improvement Act, either with special funds or private funds, unless the use of those funds is approved by

1 the appropriate cabinet secretary, the Director of the Office of Management and Budget, the Controller
2 General and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program.

3 Section 25. Judicial Construction Oversight. It is the intent of the General Assembly that a nine-
4 member Executive Committee be created to oversee construction of new or major renovation of judicial
5 facilities. The Executive Committee shall include two members of the Legislature appointed by the Co-
6 Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs of
7 the House and Senate Judiciary Committees; two members of the Judiciary as appointed by the Chief
8 Justice; and three members of the Executive Department to include the Director of Facilities Management,
9 the Director of the Office of Management and Budget and their designee. The Executive Committee shall
10 work in conformation with existing construction oversight guidelines as written in Section 24 of this Act.

11 The Executive Committee is hereby empowered to:

12 (a) Select appropriate professionals necessary to program, site, design, construct, furnish and equip
13 the facility;

14 (b) Provide such oversight to ensure that the final facility provides optimal security and
15 incorporates maximum operational efficiencies both within the Judiciary and in conjunction with other
16 criminal justice agencies;

17 (c) Ensure that new construction and/or renovations are completed on schedule; and

18 (d) Ensure that the cost of new construction and/or renovations does not exceed the authorized
19 budget.

20 This section shall apply to the following projects: Kent County Courthouse/O'Brien Building;
21 Sussex County Family Court; Kent County Family Court and any Judicial construction or renovation
22 project requested by either the Judicial Branch or recommended by the Office of Management and Budget
23 for the Judicial Branch where the total project cost estimate exceeds \$10,000,000.

24 Section 26. Minor Capital Improvement and Equipment Supplement – Office of Management and
25 Budget. Notwithstanding the provisions of any other State law to the contrary, not more than \$250,000 may
26 be expended to enter into contractual agreements for project representatives and associated administrative

1 support to ensure adequate oversight of State construction projects. The Director of the Office of
2 Management and Budget is directed to provide an itemized budget for this amount to the Controller General
3 by August 1, 2007, and expenditure reports to the Controller General by December 1, 2007 and June 1,
4 2008.

5 Section 27. New Castle County Courthouse. Notwithstanding any law or local government
6 ordinance, resolution, or any deed restrictions to the contrary, the Director of the Office of Management and
7 Budget shall designate the name of any state-owned or state-operated courthouse or other judicial building
8 or facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
9 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
10 any statues or memorials in or on the grounds of such courthouse or judicial building of facility.

11 Section 28. Belvedere State Service Center Project. Notwithstanding any State laws to the
12 contrary, funds received from tenants in the Belvedere State Service Center shall be used by the Office of
13 Management and Budget for the maintenance and operation of the center.

14 Section 29. Sussex County Judiciary. The Office of Management and Budget shall execute an
15 agreement with Sussex County to transfer ownership of a parcel of land located in Georgetown, Sussex
16 County, Tax Parcels # 1-35 14.20 213 and 1-35 14.20 214, commonly known as the “First State Chevrolet”
17 parking lot, from the State to the county. As a prerequisite to execution, the agreement shall include the
18 following terms and conditions:

- 19 i. Sussex County shall release the State from payments that would have been made by the
20 Administrative Office of the Courts in the amount of \$636,932.00 between FY 2006 and FY 2012
21 for renovations that were completed in the Sussex County Courthouse prior to the purchase of the
22 courthouse by the State. Sussex County shall consider all payments received from the State
23 through FY 2005 for this work as payment in full.
- 24 ii. Sussex County shall agree to move the Register of Wills from Sussex County Court of Chancery to
25 the Sussex County Law Library on a temporary basis not to exceed a term of 5 years. All costs

1 associated with the move of the Register of Wills from Court of Chancery and into the Law
2 Library shall be borne by Sussex County.

3 iii. The lease currently in effect between Sussex County and the Office of Management and Budget
4 shall be amended to reflect the move of the Register of Wills to the Sussex County Law Library.

5 Rent shall be based on the net square footage occupied by the Register of Wills in the Law Library
6 at a cost of \$6.00 per square foot. The term of the lease shall be adjusted to show an ending date of
7 June 30, 2010. Renewal of the lease after June 30, 2010 shall be at the sole discretion of the State.

8 iv. Sussex County and the Office of Management and Budget shall work together to develop a
9 mutually acceptable schedule for the transfer of the property to the county and the move of the
10 Register of Wills to the Sussex County Law Library.

11 v. Final transfer schedule shall be approved by the Director of the Office of Management and Budget
12 and the Controller General.

13 Section 30. Demand Side Management. The provisions of 75 Del. Laws, c. 242 notwithstanding,
14 the Public Service Commission shall have the authority to implement demand-side management programs
15 designed to reduce peak electricity usage.

16 Section 31. COTS. The Section 1 Addendum to 75 Del. Laws, c. 98 appropriated funding to the
17 Technology Fund in the Office of Management and Budget for the COTS Integrated Case and Financial
18 Management System. Of said appropriation transferred to the Judiciary for COTS, up to \$645,000 may be
19 used for personnel costs and contractual services expenses associated with providing additional personnel
20 coverage for positions assigned to the COTS project in order to continue court operations. Eligible
21 expenses for providing such personnel coverage include, but are not limited to, temporary promotion, dual
22 incumbency, casual/seasonal assistance, contracting temporary personnel services and overtime service
23 subject to the processes outlined under applicable State laws, rules, policy and/or procedures.

24 Section 32. 800 MHz. Notwithstanding 29 Del. C. c. 69 or any other statutory provision to the
25 contrary, the Office of Management and Budget may use design/build project delivery methodology for the
26 purpose of constructing 800 MHz transmission towers. To enable the use of design/build methodology to

1 construct 800 MHz transmission towers, all provisions of 29 Del. Code §6962 are waived with the
2 exception of those sections of §6960 related to prevailing wage rates. Funds appropriated for the
3 construction of the 800 MHz towers may be used to reimburse the Office of Management and Budget for all
4 expenditures associated with the management of the design/build RFP process, including the hiring of a
5 consultant, and management of the tower construction project(s).

6 Section 33. Kent County Courthouse Construction. It is the intent of the General Assembly that
7 the Office of Management and Budget shall have the authority to develop and implement procedures and a
8 methodology to engage a Construction Manager at Risk for all phases of the Kent County Courthouse
9 Project including the construction of any required parking facilities. To enable the engagement of a
10 Construction Manager at Risk, all provisions of 29 Del. C. c. 69 are hereby waived with the exception of §
11 6960 related to prevailing wage.

12 Section 34. State Employee Workforce, Education and Training Center. The Section 1 Addendum
13 to this Act contains an appropriation of \$6,500,000 for the State Employee Workforce, Education and
14 Training Center, currently owned by the Bank of America. These certain tracts of land are located in the
15 vicinity of 920 N. French Street in the City of Wilmington, New Castle County, and the State of Delaware,
16 being known as New Castle County Tax Parcel numbers 2603520172, 2603520255, 2603520185,
17 2603520190 and 2603520195. For the acquisition of this property, the real property procurement
18 procedures in 29 Del. C. §9505 shall not apply.

19 Section 35. New Castle County Detention Center. The funds remaining in Fiscal Year 2005
20 appropriation 10-02-50-0882 shall be used for the Heating, Ventilating and Air Conditioning project for the
21 New Castle County Detention Center.

22 Section 36. Data Center. The General Assembly hereby authorizes the Office of Management and
23 Budget to enter into a lease-purchase agreement with a land developer on behalf of the Department of
24 Technology and Information to design and construct a new statewide data center in support of the State of
25 Delaware's existing and future technology needs. The Office of Management and Budget is authorized to
26 enter into a lease-purchase agreement subject to the following conditions:

- 1 (a) For purposes of negotiating and signing a lease-purchase agreement, the provisions of 29 Del.
2 C. c. 69 shall be waived provided the Department of Technology and Information provides the
3 following for approval to the Director of the Office of Management and Budget and the
4 Controller General:
- 5 a. A total project budget that includes, but is not limited to, land acquisition costs,
6 architectural and engineering fees, and construction costs;
 - 7 b. A financial projection over multiple years demonstrating the impact, if any at all, on funds
8 recovered by the Department of Technology and Information from agencies for
9 telecommunications, professional and other services rendered by the department; and
 - 10 c. A detailed plan outlining the potential future state agency/department information
11 technology facility consolidation into the new data center.

12 Further, for purposes of negotiating land acquisition costs associated with the lease-purchase
13 agreement, the Office of Management and Budget shall obtain (1) an appraisal from the land
14 developer which is performed by an independent, certified appraiser; (2) an appraisal from
15 Facilities Management within the Office of Management and Budget performed by an
16 independent, certified appraiser; and (3) and an appraisal performed by an independent,
17 certified appraiser as agreed upon by the land developer and the Office of Management and
18 Budget.

- 19 (b) Any contract between the Office of Management and Budget and the land developer shall
20 require the land developer and any subcontractors to comply with any and all of the provisions
21 of 29 Del. C. c. 69 as the Office of Management and Budget, in its sole discretion, may deem
22 appropriate and which would otherwise apply to this project if it were to be bid directly by the
23 Office of Management and Budget.

24 The Department of Technology and Information shall establish a specific account (s) for the
25 purposes of paying all costs associated with the lease-purchase agreement and shall report by May 1 of each

1 fiscal year to the Office of Management and Budget and Controller General on expenditures related to the
2 Data Center project, including capital and operating expenses.

3 Section 37. Delaware Health Information Network. The Section 1 Addendum to this Act
4 appropriates \$3,000,000 for the Delaware Health Information Network. As a joint initiative between
5 private, federal and state funds, the \$3,000,000 shall be utilized to support the development of an
6 interoperable network to exchange clinical information among all healthcare providers across the state to
7 improve patient outcomes and patient-provider relationships. The system shall be designed to allow patient
8 clinical information to be shared across all healthcare facilities and organizations and across public and
9 private sectors. Prior to the disbursement of funds, the Delaware Healthcare Commission, working in
10 conjunction with the Delaware Health Information Network (DHIN), shall provide the following:

- 11 (a) A firm written commitment, on a dollar for dollar draw basis, that demonstrates a matching
12 contribution from non-state sources (not including federal funds) to the Director of the Office
13 of Management and Budget and the Controller General. The matching commitment for
14 accessing said state funds in the aggregate shall be a minimum of \$3,000,000 from non-state
15 sources (not including federal funds);
- 16 (b) A budget that outlines the expenditure for the \$3,000,000 state appropriation including a
17 breakdown of categories (personnel/contractual services/supplies, etc).
- 18 (c) A total project budget over multiple years that includes funding allocations detailing federal,
19 private and state requested amounts; and
- 20 (d) A plan for staffing this initiative through contractual dollars.

21 The Delaware Health Care Commission is hereby authorized to establish interest-bearing special
22 fund accounts for the purposes of receiving private matching funds, donations, gifts and other such funds
23 for use in implementing DHIN. The Delaware Healthcare Commission may accept such restrictions as the
24 grantor(s) may impose; however, that no such restrictions contravene the laws of the State. These accounts
25 shall be subject to audit by the State Auditor.

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 38. Composites Research. The Delaware Economic Development Office is authorized to
3 provide a match of up to \$100,000 to the University of Delaware Center for Composite Materials for
4 federal research grants received that support the development and application of composite manufacturing
5 technology for the benefit of Delaware companies. Such match shall be disbursed from the Strategic Fund
6 upon documentation of the receipt of federal funds allocated to the Center during the fiscal year for these
7 purposes and upon documentation of the relevance of these research projects to Delaware industries' needs
8 and their participation within said projects.

9 Section 39. Delaware Industrial Park. The Delaware Economic Development Office is hereby
10 prohibited from locating any operation that involves the use of hazardous materials at the former Helix
11 Synthesis Technologies site within the Delaware Industrial Park. Hazardous materials are defined as any
12 material of a gaseous, liquid or solid form that has the potential to cause temporary or permanent harm to
13 humans or the environment.

14 Section 40. Diamond State Port Corporation. The Section 1 Addendum to this Act contains an
15 appropriation of \$3,000,000 for the Diamond State Port Corporation. The expenditure of these funds shall
16 be subject to the review and approval of the Board of Directors of the Diamond State Port Corporation
17 (DSPC). In addition, the DSPC may borrow, on an interest-free basis, up to \$2,000,000 from this
18 authorization to meet its short term operating expenses during Fiscal Year 2008.

19 Section 41. Transportation Worker Identification Credentials. The Diamond State Port
20 Corporation shall pay for the initial employee fee associated with obtaining the Transportation Worker
21 Identification Credentials ("TWIC") cards for full and part time employees. Casual workers will initially
22 pay for their TWIC card and if they become a full or part time employee of the Diamond State Port
23 Corporation the cost of originally obtaining a TWIC card will reimbursed to said employee.

24 Section 42. Kalmar Nyckel. Until such time as all loans receivable by the Riverfront Development
25 Corporation of Delaware from the Kalmar Nyckel Foundation are paid in full to the satisfaction of the
26 Riverfront Development Corporation, the scheduling of the Kalmar Nyckel by non-State entities shall

1 require the approval of the Riverfront Development Corporation. Further, the Riverfront Development
2 Corporation is encouraged to enter into negotiations with interested parties to review the disposition of
3 loans to the Kalmar Nyckel.

4 Section 43. DRBA - Delaware State University. For the purpose of complying with the provisions
5 of 17 Del. C. §1726, requiring the Delaware River and Bay Authority to secure the approval of the General
6 Assembly by an act passed with the concurrence of three-fourths of all the members elected to each House
7 before undertaking any major project (as defined in Article II of the Delaware-New Jersey Compact as set
8 forth in 17 Del. C. §1701), the Delaware River and Bay Authority is hereby authorized, pursuant to the
9 procedures set forth in the Compact and applicable statutory requirements, if requested by the Governor and
10 Delaware Economic Development Office and if the project is undertaken and funded by the Authority in
11 accordance with its processes and procedures relating to such a project, to lease, acquire and control for
12 economic development purposes, real property, improvements and related facilities of the property situated
13 at 2095 Seven Hickories Road, Dover, DE consisting of approximately 75 +/- acres and such project is
14 hereby authorized and approved by this Act. The Authority shall be prohibited from developing said land
15 for residential purposes.

16 Section 44. Transportation Property Disposition. The proceeds from the future sale of parcels of
17 land the Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva
18 Properties located in the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

19 Section 45. Council of Development Finance. If the Delaware Economic Development Office
20 (DEDO) makes an award not in agreement with the recommendations of the Council on Development
21 Finance (CDF), the Director of the Economic Development Office shall notify the co-chairs of the Joint
22 Legislative Committee on Capital Improvements within 10 business days. The notification shall include
23 details of the actual award, the Council recommendations on the proposal, and a justification for why the
24 Economic Development Office did not follow the recommendations of the Council.

25 Section 46. New Economy Initiative - Year IV. (a) Findings and Purpose. The General Assembly
26 finds that a critical need exists for the State to employ new initiatives for expanding and attracting new

1 investors and businesses to the State and accelerate the creation of high-paying jobs in a rapidly
2 transforming global economy. In particular, the General Assembly finds that: (1) Small high-technology
3 businesses are innovative, forward-thinking and are the engine of wealth generation and economic growth
4 throughout the country but do not respond to traditional, tax-based incentive programs; (2) The Delaware
5 Economic Development Office is experiencing increased opportunities to promote new business creation
6 through technology-based entrepreneurs and entrepreneurial ventures and growth of existing technology-
7 based business which has necessitated the development of new funding tools to respond to these
8 opportunities; (3) Delaware must make the investments necessary to develop a thriving entrepreneurial
9 culture, including the availability of start-up seed and pre-venture funding, and needs to mirror national
10 trends through the stimulus of public sector seed and pre-venture funding; (4) Delaware is uniquely
11 positioned to significantly advance the entrepreneurial climate in Delaware through collaboration and
12 partnerships with First State Innovation, the Delaware Emerging Technology Center, the Intellectual
13 Property New Business Creation Program, the Sussex County Business Portal, and others; and (5) While
14 Delaware has created a product mix that supports the enhancement of the entrepreneurial climate from
15 business inception to stabilization and sustainability, a funding void still exists between the seed funding
16 and traditional venture capital funding stages.

17 (b) Definitions. For purposes of this Section, the following definitions shall apply: (1)
18 “Development Office” means the Delaware Economic Development Office (10-03-00); (2) “Authority”
19 means the Delaware Economic Development Authority (10-03-03); and (3) “Director” means the Director
20 of the Delaware Economic Development Office.

21 (c) The Section 1 Addendum to this Act includes \$5,000,000 for the fourth year of the New
22 Economy Initiative. It is the intent of the General Assembly that this appropriation shall be subject to the
23 allocations and conditions herein.

<u>Purpose</u>	<u>Amount</u>
Emerging Technologies Pre-Venture Fund	\$ 5,000,000
Total	\$ 5,000,000

1 (d) Emerging Technologies Pre-Venture Fund. The Development Office on behalf of the Authority
2 shall establish the Emerging Technologies Pre-Venture Fund (Pre-Venture Fund). It is the intent of the
3 General Assembly for the Pre-Venture Fund to foster knowledge-based, fast-growing small businesses in
4 technology fields such as biotechnology, advanced materials, clean energy, information technology, and
5 new chemical applications. The purposes of the Pre-Venture Fund shall be: (1) Funding Delaware
6 technology-based small businesses, and those technology-based companies willing to relocate to Delaware;
7 (2) Providing debt and equity financing between \$150,000 up to \$1,000,000 per transaction for expenses of
8 such businesses such as laboratory equipment, working capital, lab and office space, patent filings, or
9 prototyping; and (3) Ensuring a commitment from the recipient to grow the company in Delaware.

10 Notwithstanding 29 Del. C. c. 101, the Development Office shall forthwith establish guidelines
11 with respect to the Pre-Venture Fund to include, but not be limited to: (1) An application procedure; (2)
12 Specification of the types of investments for which the Pre-Venture Fund may be used; (3) A mechanism
13 for review of proposals by a dedicated Pre-Venture Fund Board whose members have venture and/or
14 technology-based experience and who shall be appointed by the Director. The Pre-Venture Fund Board and
15 term guidelines must be approved by the Council on Development Finance. The Pre-Venture Fund Board
16 shall consist of nine members with a quorum of five members physically present at a meeting; (4)
17 Recommendation of projects reviewed and voted on favorably by the Pre-Venture Fund Board to the
18 Director for approval and funding; and (5) Individual agreements with Pre-Venture Fund recipients to
19 relocate or remain in Delaware for a specified length of time.

20 (e) Reporting Requirements. The Development Office shall provide a Pre-Venture Fund quarterly
21 report to the Co-Chairs of the Joint Legislative Committee on the Capital Improvements Program, the
22 Controller General and the Director of the Office of Management and Budget. The report shall include, but
23 not be limited to: (1) a description of Fund guidelines, procedures and performance measures; (2) a
24 description of disbursements from the Pre-Venture Fund; and (3) and the number of jobs created and/or
25 retained in Delaware through the Pre-Venture Fund.

1 Section 47. DuPont Innovation Center Partnership Program. The State of Delaware and DuPont
2 shall establish a partnership program to begin the transformation of DuPont's Experimental Station Labs
3 into the DuPont Innovation Center. The purpose of this transformation is to support DuPont's commitment
4 to Experimental Station Labs as its primary global research and development facility and to provide an
5 impetus for future growth of aligned and supporting industries across the State and region. This partnership
6 will require DuPont to make capital investments of \$80 million at Experimental Station Labs through 2009.
7 DuPont will also be required to provide, over the next 5 years free of charge, 250 patents and “proprietary
8 technology packages” to the Delaware Emerging Technology Center as part of the State’s New Economy
9 Initiative. DuPont will also collaborate with the State of Delaware to develop a Delaware Biotechnology
10 Program for High School Students at Experimental Station Labs, consisting of at least 6 interactions per
11 year beginning in calendar year 2006 through calendar year 2009. DuPont will be required to complete
12 total capital investments of \$20 million at Experimental Station Labs by June 30, 2007, an additional \$20
13 million at Experimental Station Labs by December 31, 2008 and an additional \$40 million at Experimental
14 Station Labs by December 31, 2009 for a total of \$80 million in capital investments. This partnership
15 program will require DuPont to report its capital expenditures to the Delaware Economic Development
16 Office within 30 days of each capital investment completion deadline and shall be subject to a grant
17 agreement and remediation provisions deemed appropriate by the Development Office.

18 Section 48. New Markets Tax Credit Program. In the event that the Director of the Delaware
19 Economic Development Office or the Director of the Delaware State Housing Authority and the Secretary
20 of Finance determine that it is advisable to apply for participation in the New Markets Tax Credit Program
21 under the U.S. Treasury Department, the Director is authorized to form a business entity or organization to
22 apply for and manage this program on behalf of the State, as required by applicable federal legislation and
23 regulations. Any such application for said program shall be subject to the approval of the Co-Chairs of the
24 Joint Legislative Committee on the Capital Improvement Program and the Delaware State Clearinghouse
25 Committee. Should such application receive final approval by the U.S. Treasury Department or other
26 federal governmental entity charged with such authority, at least one public hearing shall be held for the

1 purpose of presenting the program, the availability of financial assistance and the selection process and the
2 Director of the Delaware State Housing Authority shall notify, by certified and regular mail, any State
3 senators and representatives in whose districts any development project may be located, upon the
4 submission of a request for financing and a decision to provide financing for such development pursuant to
5 the New Market Tax Credit Program. In addition, the Housing Director shall so notify the Chief Executive
6 Office of any local government in whose jurisdiction any development will be located.

7 Section 49. Blue Ball East Master Plan Implementation. The implementation of the transportation,
8 stormwater management, and parks and recreation elements of the Blue Ball East Master Plan shall not be
9 subject to the zoning, subdivision, land use, or building code ordinances or regulations of any political
10 subdivision of the State.

11 Section 50. Riverfront Development Corporation Board. The composition of the board of directors
12 of the Riverfront Development Corporation of Delaware as established by the 70 Del. Laws, c. 210 is
13 hereby amended to provide for eight members to be appointed by the Governor, with one of those members
14 being appointed chair.

15 Section 51. Riverfront Development Corporation. (a) Funds appropriated for Riverfront
16 Development Corporation shall be disbursed to a special fund to be known as the Riverfront Development
17 Corporation Fund hereinafter referred to as the Fund.

18 (b) The Fund shall be invested by the State Treasurer in securities consistent with the policies
19 established by the Cash Management Policy Board. All monies generated by the Fund shall be deposited
20 in the Fund.

21 (c) Funds appropriated to the Delaware Economic Development Office for the Riverfront
22 Development Corporation of Delaware (RDC) shall be expended only with the approval of the board of
23 directors of the RDC. Funds may only be expended for activities related to the redevelopment of the
24 Brandywine and Christina riverfront areas, including: planning and design studies; the acquisition,
25 construction and improvement of real property; environmental remediation; costs of operations and

1 administration; conversion of the Bank One Center to a conference center; debt service; and other
2 expenses in furtherance of the mission of the RDC.

3 Section 52. Kent County Levy Court Local Lodging Tax. Kent County Levy Court may issue up
4 to \$20,000,000 in general obligation bonds for the Dover Civic Center with the resulting debt service to be
5 paid from the annual operating revenues of the Center. Should the annual operating revenues of the Center
6 be insufficient at any time during the debt repayment period to cover principal and interest payments, the
7 Levy Court shall be authorized to impose, by duly enacted ordinance, a local lodging tax for any room or
8 rooms in a hotel, motel or tourist home, as defined in 30 Del. C. §6101, in an amount sufficient to repay any
9 principal and interest deficits not covered by Center revenues for the period for which such deficiency
10 exists. The Levy Court, in consultation with the State Treasurer and Secretary of Finance, shall establish
11 the rate and duration of any necessary levy. The Levy Court's authority to levy said hotel tax shall sunset
12 upon repayment of all principal and interest associated with the bond issuance.

13 Section 53. Delaware Civic Center Corporation. (a) Funds appropriated for the Delaware Civic
14 Center Corporation shall be disbursed to a special fund to be known as the Delaware Civic Center
15 Corporation Fund hereinafter referred to as the Fund.

16 (b) The Fund shall be invested by the State Treasurer in securities consistent with the policies
17 established by the Cash Management Policy Board. All monies generated by the Fund shall be deposited
18 in the Fund.

19 Section 54. Fraunhofer Vaccine Development. The Section 1 Addendum to this Act appropriates
20 \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General Assembly and the
21 Administration that said funds represent the second year of a five year commitment by the State of
22 Delaware to leverage a 2:1 matching grant of \$10,000,000 from Fraunhofer USA. Further, up to one-third
23 of the aggregated state match shall be used to increase the capacity of Delaware farmers to participate in
24 the commercial raising of plants for the production of biopharmaceuticals.

1 Section 55. Emerging Seed Technology Fund. (a) Amend the provisions of the Emerging
2 Technology Seed Fund statute set forth in Subsection (f), Section 36, Chapter 308, 74 Delaware Laws
3 (July 1, 2004) as follows:

4 (i) Amend the first Paragraph (2) appearing in Subsection (f), Section 36, Chapter 308, 74
5 Delaware Laws (July 1, 2004) by inserting after the word “equity” and before the word
6 “financing” as they appear in such first Paragraph (2) the phrase “or debt”.

7 (ii) Amend Subsection (f), Section 36, Chapter 308, 74 Delaware Laws (July 1, 2004) by striking
8 the word “and” as it appears at the end of the first Paragraph (2) thereof and at the end of first
9 Paragraph (3) thereof and by inserting after the word “programs” in the first Paragraph (4)
10 thereof and before the period at the end of the first Paragraph (4) thereof the words, numerals
11 and punctuation “; and (5) Paying the consulting fees and other costs to the Delaware
12 Economic Development Office or the Delaware Economic Development Authority of an
13 independent technical review of applicants, their businesses and specific projects to be
14 funded by equity or debt financing from the Seed Fund.”

15 (b) Amend the provisions of the Emerging Technology Seed Fund/Phase II statute set forth in
16 Subsection (e), Section 40, Chapter 353, 75 Delaware Laws, (July 1, 2006) as follows:

17 (i) Amend Paragraph (2), Subsection (e), Section 40, Chapter 353, 75 Delaware Laws, (July 1,
18 2006) by (a) inserting after the word “equity” and before the word “financing” as they appear
19 in Paragraph (2) the phrase “or debt” and (b) by striking the punctuation and numerals
20 “\$50,000” where they appear in Paragraph (2) and substituting therefore the punctuation and
21 numerals “\$100,000”.

22 (ii) Amend Subsection (e), Section 40, 75 Delaware Laws, Chapter 353 (July 1, 2006) by striking
23 the word “and” as it appears at the end of Paragraph (3) thereof and by striking the words and
24 punctuation “loan programs.” as they appear at the end of Paragraph (4) thereof and
25 substituting therefore the words, numerals and punctuation: “ or loan programs; and (5)
26 Paying the consulting fees and other costs to the Development Office or the Development

1 Authority of an independent technical review of applicants, their businesses and specific
2 projects to be funded by equity or debt financing from the Seed Fund.”

3 (ii) The amendments made by Sections 1 and 2 shall be effective upon enactment into law or as
4 of the original dates of enactment of 74 Delaware Laws chapter 308 or 75 Delaware Laws
5 chapter 353, as the case may be.

6 Section 56. Council on Development Finance. Amend 29 Del. C. § 5007 by deleting said section
7 in its entirety and substituting in lieu thereof the following:

8 “(a) The Council on Development Finance is hereby established and shall serve in an advisory
9 capacity to the Director and shall consider matters relating to the financing and modernization of
10 agricultural, industrial, commercial, emerging technologies and other facilities in the State and such other
11 matters as may be referred to it by the Governor, or by the Director. The Council on Development
12 Finance may study research, plan and advise the DEDO Director, and the Governor on matters relating to
13 economic development and strategic opportunities.

14 (b) The Council on Development Finance shall be composed of 9 members, 7 of which shall be
15 appointed first by the Governor and serve for a term of 3 years. In addition, 1 member shall be appointed
16 by the President Pro-Tempore of the Senate and 1 member shall be appointed by the Speaker of the House
17 and serve for a term of 3 years. Appointees to the Council on Development Finance shall all be Delaware
18 residents. Appointments to the Council shall be made in a way to effect equal distribution of Council
19 members per county.

20 (c) At least 4 but no more than 5 members of the Council shall be affiliated with one of the major
21 political parties and at least 3, but no more than 4 of the members shall be affiliated with the other major
22 political party; provided however, that there shall be not more than bare majority representation of 1 major
23 political party over the other major political party. Any person who declines to announce a political
24 affiliation shall also be eligible for appointment as a member of the Council.

25 (d) In making appointments to the Council on Development Finance, the Governor, the President
26 Pro-Tempore and the Speaker of the House shall appoint professionals possessing one or more of the

1 following designations: a member of the Bar of the Supreme Court of the State, an officer of a bank or
2 trust company located in the State, an expert in private equity or a venture capital expert.

3 (e) Members of the Council shall serve without compensation, except that they may be
4 reimbursed for reasonable and necessary expenses incident of their duties as members in accordance with
5 state law.

6 (f) A Chairperson of the Council shall be chosen by the members of the Council from among its
7 members and shall serve in that capacity for a term of 2 years and shall be eligible for re-election.

8 (g) Any appointment, pursuant to this section, to replace a member whose position becomes
9 vacant prior to the expiration of the member's term shall be filled only for the remainder of that term.

10 (h) The Council shall conduct its business only when a quorum is present. A quorum shall consist
11 of 5 of the 9 members being physically present. Upon written request from the Council, the Governor may
12 declare a vacancy for any member who is absent from 4 consecutive Council meetings. The Council Chair
13 should schedule meetings so that they are centrally located and geographically balanced in number."

14 Section 57. Council on Development Finance Applicant Reporting. Amend 29 Del. C. §5053 (k)
15 by deleting the words "August 31" as they appear in that subsection and replacing them with "June 30".

16 Section 58. Fraunhofer and Delaware Biotechnology Institute. The General Assembly finds that a
17 critical need exists for the State to employ new initiatives for expanding and attracting new investors and
18 businesses to the State. As part of this recognition, previous Bond and Capital Improvement Acts
19 appropriated funding for various initiatives, including, but not limited to, New Economy Programs,
20 Fraunhofer Vaccine Development, and the Experimental Program to Stimulate Competitive Research
21 (EPSCOR). Further, it is the intent of the General Assembly that the Delaware Economic Development
22 Office proactively engage Fraunhofer USA and the Delaware Biotechnology Institute to assist those
23 organizations with the competitive application process required for funding from the Delaware Strategic
24 Fund for projects considered a priority by the General Assembly, including expansion of the existing
25 Fraunhofer Center in Delaware as well as additional funding opportunities under the Experimental Program
26 to Stimulate Competitive Research (EPSCOR). Notwithstanding the provisions of this Act or any other law

1 to the contrary, the Council on Development Finance, upon receiving the necessary applications for funding
2 from said organizations, shall provide an expedited review process in consideration of the applications at
3 the earliest date possible.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 Section 59. HDF Loan Foreclosure Program. The Section 1 Addendum to 75 Del. Laws, c. 353
3 appropriated \$227,800 for the Housing Development Fund – Loan Foreclosure Program. The City of
4 Wilmington and New Castle County may provide contributions in order to participate in the program.

5 Section 60. Housing Preservation. The Section 1 Addendum to this Act appropriates \$7,500,000 for
6 Housing Development Fund - Preservation (10-08-01). It is the intent of the General Assembly and the
7 Administration that said funds are to be used to leverage other funding sources, such as Low Income Housing Tax
8 Credits (LIHTC) and tax-exempt bonds to help renovate and improve existing federally subsidized housing stocks
9 in Delaware. The renovations may secure \$75 million in federal Housing Assistance Payment (HAP) rental subsidy
10 funds over the next 30 years. The Director of the Delaware State Housing Authority shall report to the Controller
11 General and the Director of the Office of Management and Budget no later than April 30, 2008 on the expenditure
12 of the Housing Development Fund - Preservation funds appropriated in Section 1 Addendum to this Act. Said
13 report shall also include the amount and expenditure of any non-state funds received by the State for said Housing
14 Preservation projects.

1 **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2 Section 61. 800MHz. Any provision of law to the contrary notwithstanding, the Department of
3 Technology and Information (DTI) is expressly authorized to commit the State of Delaware to indemnify
4 and hold harmless tower owners and/or lessors in lease agreements entered into by DTI to utilize
5 communications towers owned and/or controlled by Conectiv, the University of Delaware, Cingular,
6 American Tower, and/or Clear Channel (or affiliates of such entities) for the purpose of undertaking
7 improvements to the 800 MHz emergency communications system for any damages arising from the State's
8 use of such communications towers.

9 Section 62. Data Center Projects. In no instance shall any information technology data center
10 project be initiated by a department/agency during this fiscal year until a formalized plan has been approved
11 by the department/agency head, Director of the Office of Management and Budget and the State Chief
12 Information Officer. This includes, but is not limited to, relocating, renovating and/or constructing new
13 information technology data centers.

1 **DEPARTMENT OF STATE**

2 Section 63. North Wilmington Library. Funds authorized in the Section 1 Addendum of 70 Del.
3 Laws, c. 210 and in the Section 1 Addendum of 69 Del. Laws, c. 386 shall be used to plan and construct a
4 library within the First Senate District.

5 Section 64. Delaware River Main Channel Dredging. It is the intent of the General Assembly that
6 any future appropriation of State funds for the main channel dredging of the Delaware River shall be
7 contingent upon the following:

- 8 1) A written agreement between the Army Corps of Engineers and the Department of Natural
9 Resources and Environmental Control dealing with the potential use of dredge spoils for
10 Delaware beach preservation and habitat protection.
- 11 2) The Corps of Engineers shall meet all necessary DNREC permitting requirements.

12 Section 65. Riverfront Development Corporation Promotions. The Riverfront Development
13 Corporation is prohibited from including political profiles and statements of a political or partisan nature in
14 any advertisements or literature used to promote a cultural or recreational event being sponsored by the
15 Corporation.

16 Section 66. Museum Maintenance. The Section 1 Addendum to this Act appropriates \$350,000 to
17 the Department of State for museum maintenance. It is the intent of the General Assembly that these funds
18 be retained by the Department of State, Division of Historical and Cultural Affairs for use with the
19 operations of State museums or for immediate, unscheduled repairs to those facilities under the control of
20 the Division of Historical and Cultural Affairs.

21 Section 67. Library Construction. Proposals submitted by the Department of State to the Office of
22 Management and Budget under 29 Del. C. §6604A shall include a statement as to whether or not each of
23 the libraries have the required 50 percent non-state share match as defined in 29 Del. C. §6602A(2).

1 **DEPARTMENT OF FINANCE**

2 Section 68. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue Code
3 of 1986, as amended, whenever the General Assembly authorizes the issuance of the State’s General
4 Obligation bonds or the Delaware Transportation Authority’s (the Authority) revenue bonds to finance the
5 costs of specific capital projects, it is the intent of the General Assembly that the interest on such bonds
6 shall not be included in gross income for federal income tax purposes under Section 103 of the Internal
7 Revenue Code of 1986, as amended, and the United States Treasury Regulations (the Regulations)
8 thereunder as they may be promulgated from time to time. Pursuant to the State's budget and financial
9 policies, other than unexpected situations where surplus revenues render bond financing unnecessary or
10 undesirable, no funds other than the proceeds of such bonds, are or are reasonably expected to be,
11 reserved, allocated on a long-term basis, or otherwise set aside by the State to pay the costs of such
12 specific capital projects. Pursuant to the Authority’s budget and financial policies, it is expected that
13 approximately 50 percent of the costs of its capital projects shall be funded on a long-term basis from the
14 proceeds of such bonds. However, after the authorization of such bonds but prior to their issuance,
15 non-bond funds from the State’s General Fund or the Authority’s Transportation Trust fund or other funds
16 may be advanced on a temporary basis to pay a portion of the costs of such specific capital projects. In
17 that event, it is expected that these non-bond funds will be reimbursed from the proceeds of such bonds
18 when they are issued. This reimbursement may cause a portion of such bonds to become “reimbursement”
19 bonds within the meaning of Section 1.150-2 of the Regulations. Under those Regulations, to preserve the
20 exclusion of the interest on such bonds from gross income for federal income tax purposes, it may be
21 necessary to make a declaration of official intent. The Secretary of Finance is hereby designated as the
22 appropriate representative of the State and the Secretary of Transportation is hereby designated as the
23 appropriate representative of the Authority, and each is authorized to declare official intent on behalf of
24 the State or the Authority, as the case may be, within the meaning of Section 1.150-2 of the Regulations,
25 whenever and to the extent that such declaration is required to preserve such tax treatment.

1 Section 69. Safety Cameras. Of the funds remaining in appropriation 2007-25-01-01-0980, up to
2 \$250,000 shall be used for safety cameras for the City of Wilmington Police Department.

3 Section 70. Qualified Zone Academy Bonds. A portion of the General Obligation bonds
4 authorized under this Act for a school construction project may be issued in the form of “Qualified Zone
5 Academy Bonds” within the meaning of the federal Taxpayer Relief Act of 1997 (QZABs). Such portion
6 shall be equal to the maximum amount of QZABs which may be issued under such act. Authorization
7 shall be given to eligible public schools authorized under this Act with the highest percentage of free and
8 reduced lunch counts for the 2006-2007 school year that elect to participate in the QZAB program as
9 determined by the Department of Education. The Secretary of Finance is hereby authorized to determine
10 the terms and conditions of the QZABs and the manner by which they shall be awarded to the purchasers
11 thereof, including private negotiated sale, notwithstanding anything to the contrary contained in Chapter
12 74, Title 29 of the Delaware Code; provided that the requirements of Chapter 7422 of Title 29 of the
13 Delaware Code must be observed.

1 **DEPARTMENT OF CORRECTION**

2 Section 71. Prison Construction. (a) The Director of the Office of Management and Budget, as
3 provided through construction management services, shall consult with the Commissioner of Correction to
4 ensure expedient programming, planning and construction of authorized correctional facilities. None of
5 the funds authorized herein or in prior fiscal years are intended to supplant federal funds.

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

11 Section 72. Community Restoration. The Department of Correction may, to the extent resources
12 and appropriately classified offenders are available, direct these offenders to assist with community
13 restoration projects. These projects may include beautification, clean up and restoration efforts requested
14 by civic, governmental and fraternal organizations approved by the Commissioner.

15 Section 73. Maintenance and Restoration. The Section 1 Addendum to this Act appropriates
16 \$3,135,400 to the Department of Correction for Maintenance and Restoration projects. The Department
17 must submit a bi-annual report to the Director of the Office of Management and Budget and the Controller
18 General, detailing the expenditure of such funds and the respective projects. The Department shall submit a
19 preliminary plan to the Director of the Office of Management and Budget and Controller General for
20 maintenance projects for the following fiscal year by October 31.

21 Section 74. Central Supply Warehouse. Notwithstanding 29 Del. C. c. 69 or any other statutory
22 provision to the contrary, the Department of Correction is hereby authorized to expend Minor Capital
23 Improvement funds, in whole or in part, necessary to make critical repairs to the freezer space of the Central
24 Supply Warehouse in Smyrna, Delaware, and is further authorized to select a firm to perform the work
25 using a design build contract; provided however, that such contract shall comply with the prevailing wage
26 provisions in 29 Del. C. c. 69.

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

2 Section 75. Beach Preservation. The General Assembly hereby appropriates \$5,037,500 to the
3 Department of Natural Resources and Environmental Control in the Section 1 Addendum to 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 basis
9 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 Director of the
11 Office of Management and Budget and Secretary of the Department of Natural Resources and
12 Environmental Control.

13 Section 76. Conservation Cost-Sharing Program. The Section 1 Addendum to this Act
14 appropriates \$3,205,000 to the Department of Natural Resources and Environmental Control for the
15 Conservation Cost-Sharing Program. This appropriation shall be allocated as follows:

- 16 1. \$1,500,000 for the Soil and Water Conservation Program. The Department shall spend one-
17 third of such funds for use in each county.
- 18 2. \$1,705,000 shall be spent on nutrient management efforts statewide. The Division of Soil and
19 Water may target all or a portion of the funds appropriated for conservation cost share to
20 critical areas, such as the Inland Bays Watershed, Nanticoke Watershed and others as
21 designated by the Secretary of the Department of Natural Resources and Environmental
22 Control. Of the \$1,705,000 allocated for nutrient management efforts statewide, up to
23 \$150,000 may be spent to repair or replace failed manure sheds or other manure handling
24 systems. Funds appropriated to replace failed manure sheds or manure handling systems are
25 not subject to the cost share match.

1 Section 77. DNREC Land Acquisition. Except for land acquired by approval of the Open Space
2 Council or approved through a Bond and Capital Improvements Act, land shall not be purchased by the
3 Department of Natural Resources and Environmental Control without prior approval of the Co-Chairs of
4 the Joint Legislative Committee on the Capital Improvement Program provided, however, that the
5 Department is not prohibited from conducting studies, surveys or other contractual arrangements that
6 would normally precede land acquisition procedures.

7 Section 78. 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 79. Army Corps of Engineers Project Cooperation Agreements. By using funds approved
14 by Bond and Capital Improvements Acts, the Secretary of the Department of Natural Resources and
15 Environmental Control is authorized to sign Project Cooperation Agreements with the Department of the
16 Army and other appropriate sponsors for planning, construction, operation and maintenance for projects
17 entered into by said Agreements.

18 Section 80. Indian River Marina. In accordance with the provisions of 73 Del. Laws, c. 350, §70,
19 the Department of Natural Resources and Environmental Control (DNREC) under the direction of the
20 Director of the Office of Management and Budget may utilize up to \$9,900,000 in funds from Twenty-First
21 Century Fund for the Parks Endowment Account as established in 29 Del. C. §6102A(e), 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 Committee
24 on Capital Improvements on May 15, 2002. DNREC will repay both the principal borrowed and interest on
25 the principal borrowed equal to that interest lost as a result of borrowing from the Account. Repayment
26 shall not exceed twenty years.

1 Section 81. Newark Reservoir. Of the funds allocated from the Twenty-First Century
2 Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside
3 for the Newark Reservoir Project. If the City of Newark annexes the property referred to as New Castle
4 County Tax Parcel #08-059.20-002, the City must repay to the State those monies appropriated in the Fiscal
5 Year 2000 and 2001 Bond and Capital Improvement Acts for said project.

6 Section 82. Combined Sewer Overflow (CSO) Accountability Working Group. The General
7 Assembly hereby directs that the CSO Accountability Working Group which was created by the CSO Task
8 Force and consists of representatives from the General Assembly, City of Wilmington, New Castle County,
9 US EPA Region III, DNREC, Community Leaders and Public Members be incorporated under the purview
10 of the Clean Water Advisory Council (CWAC), whose duties as outlined in 29 Del. C. § 8011 (f), include
11 statewide development of comprehensive wastewater facilities plans. The CWAC will convene the
12 working group during its regularly scheduled meetings, or upon demand, and will incorporate the
13 recommendations of the working group into its statewide comprehensive planning and financing efforts.

14 Section 83. Tax Ditches. The Section 1 Addendum to this Act appropriates \$1,400,000 to the
15 Department of Natural Resources and Environmental Control for Tax/Public Ditches. Of this amount,
16 \$100,000 shall be allocated to each county with subsequent expenditure of said funds contingent upon a 1:1
17 match of county funds for tax ditch or public ditch purposes.

18 Section 84. Seventh Street Marina. It is the intent of the General Assembly to classify the Seventh
19 Street Marina, located on East Seventh Street, being Tax Parcel No. 26.044.00.0013 containing 7.86 acres
20 of land (of which 5.27 acres, more or less, is above the high water line) as existing marina for purposes of
21 the State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on February 22, 1993.
22 Such classification does not exempt any person seeking to make physical improvements to the marina from
23 permit application fees pursuant to 7 Del. C., c. 66 and 72.

1 Section 85. Buried Debris Remediation Program. Funding for the remediation of buried debris
2 will follow the priority list established by date of application to DNREC for assistance. If, in the opinion of
3 the Secretary of DNREC, a site represents an exigency, that site can be given a special priority and
4 remediated as quickly as practicable. Of the \$1,000,000 appropriated in the Section 1 Addendum to 75 Del.
5 Laws, c. 353 for Debris Pit Remediation and of the \$1,000,000 appropriated for Debris Pits from the
6 Resource, Conservation and Development Fund in 74 Del. Laws, c.308, §14, \$150,000 will be provided to
7 the New Castle Conservation District for cost-share assistance to landowners with buried debris on their
8 properties. To be eligible for cost-share, the site must be listed on the DNREC priority list and meet the
9 DNREC established criteria for buried debris removal. For projects that cost up to \$40,000, the landowner
10 must provide twenty-five percent of the cost of remediation including disposal costs. For projects that cost
11 more than \$40,000, the landowner must provide \$10,000 plus 10 percent of the cost in excess of \$40,000,
12 including disposal costs. Any unencumbered funding from these cost-share funds as of April 1, 2008 shall
13 become available for the DNREC Debris Pit Remediation Program. The provisions of this Program shall
14 commence with those projects entitled “FY 2005 New Projects” as contained in the approved Fiscal Year
15 2005 Resource, Conservation and Development Projects list. The \$1,000,000 allocated for debris pit
16 remediation in Delaware shall be administered by DNREC, Division of Soil and Water Conservation. New
17 Castle County shall provide \$250,000 match.

18 Section 86. Retention Ponds. The Section 1 Addendum to this Act contains an appropriation of
19 \$2,300,000 to the Department of Natural Resources and Environmental Control to assist New Castle
20 County in dealing with its stormwater management related problems. The County will be reimbursed for
21 said activities on an actual cost basis after work is completed. The total reimbursement will not exceed
22 \$2,300,000 during the course of Fiscal Year 2008. Wherever possible, the New Castle Conservation district
23 will be employed to perform the necessary work. Under no circumstances shall these funds be used for or
24 diverted to projects other than those related to stormwater management.

25 Section 87. Assawoman Canal Dredging. It is the express finding of the General Assembly that
26 the benefits of dredging and maintaining the Assawoman Canal exceed the costs of such project and the

1 Secretary of Natural Resources and Environmental Control is hereby directed to initiate all necessary
2 actions to dredge the Canal pursuant to all terms and conditions provided for in the state and federal permits
3 issued for the project and initially authorized by Secretary's Order 2004-W-0047 dated August 12, 2004.

4 Section 88. Channel Markers. The Department of Natural Resources and Environmental Control
5 (DNREC) is directed to provide dedicated, comprehensive waterway management for state waters.
6 DNREC will: maintain design depths and mark navigational channels of the State that are not maintained
7 and marked by any entity of the federal government; remove nuisance macroalgae; remove derelict
8 structures, trees and other debris that threatens safe navigation; and perform any other waterway
9 management services that may be identified to preserve, maintain and enhance recreational use of the
10 State's tidal waters, as well as improve environmental conditions as warranted or directed by the Governor
11 or Secretary of DNREC. DNREC is further directed to undertake a study of the sediment sources and
12 patterns of sediment movement that results in deposition within State waterways to determine if there are
13 methods to reduce the dependency on dredging to remove deposited sediments.

14 Section 89. Clayton-Easton Corridor. Notwithstanding the provisions of any other law, the
15 Department of Natural Resources and Environmental Control may enter into a lease with the State of
16 Maryland for the use of the Delaware portion of the Clayton-Easton Rail Line presently owned by the
17 Maryland Mass Transit Authority to develop and manage the property as a recreational rail-trail.

18 Section 90. Land and Water Conservation - Town of Ocean View. The General Assembly hereby
19 provides the approval as required by 30 Del. C. §5423 (d)(4) for the Department of Natural Resources and
20 Environmental Control to approve a 0.362 acre land conversion at John West Park located in the Town of
21 Ocean View, a park property that was acquired with assistance from the Delaware Land and Water
22 Conservation Trust Fund. The General Assembly further authorizes the Department of Natural Resources
23 and Environmental Control to approve the required replacement parkland at John West Park with 0.364
24 acres located on Central Avenue in the Town of Ocean View. The replacement parkland will be subject to
25 the requirements of the 30 Del. C. §5423 (d) (4).

1 Section 91. Clean Water Funding Leverage. The Department of Natural Resources and
2 Environmental Control under advisement from the Clean Water Advisory is encouraged to evaluate the
3 potential leveraging of the Water Pollution Control Revolving Fund and/or the 21st Century Fund
4 Wastewater Management Account. This evaluation is based on the recommendation of the “Dialogue on
5 Financing Wastewater and Stormwater Infrastructure” report sponsored by the Delaware Public Policy
6 Institute, Office of the Governor, and Office of the Lt. Governor, Department of Natural Resource and
7 Environmental Control and Clean Water Advisory Council.

8 Section 92. Park Rehabilitation/Development. The Section 1 Addendum to this Act appropriates
9 \$2,500,000 to the Department of Natural Resources and Environmental Control for Park
10 Rehabilitation/Development to be allocated as follows:

11	Alapocas Run State Park	\$660,000
12	Trap Pond State Park	\$475,000
13	Killens Pond State Park	\$600,000
14	Garrisons Lake	\$265,000
15	Newport Boat Ramp Maintenance	\$ 20,000
16	Statewide Park Rehabilitation/MCI	\$480,000

17 Section 93. Notwithstanding any provisions of the Delaware Code to the contrary, the Secretary of
18 Natural Resources and Environmental Control shall continue to analyze the best means to permit the
19 donation of the Christina Labs property to the State while providing a limited indemnification. The
20 Secretary shall have the authority to enter into such a contract with the prior approval of the Director of the
21 Office of Management and Budget, the Controller General and the Co-Chairs of the Joint Legislative
22 Committee on the Capital Improvement Program.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 95. General Provisions. Notwithstanding the provisions of any State law to the
3 contrary, the Department of Transportation (Department) is hereby authorized and directed to use all its
4 designated powers and resources to carry out the following legislative mandates:

5 (a) Transportation Trust Fund Authorizations. Sums not to exceed \$475,635,600 (State:
6 \$256,042,000; Federal: \$184,720,500; Other: \$34,873,100) 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 of
8 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 amount
11 not to exceed \$50,381,000 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more than
12 \$47,100,000 shall be used for purposes set forth in the Section 1 Addendum of this Act with the remainder,
13 not to exceed \$3,281,000 to be used to fund issuance costs and necessary reserves for the Reserve Account.

14 (c) Reauthorization of Previous Fund Balances. Of the \$475,636,600 authorized in subsection (a)
15 above, the sum of \$55,911,517 (State) for newly authorized projects within the Road System, Support
16 System and Transit System classifications shall be funded from previously authorized, but unexpended
17 balances in the following accounts:

<u>Deauthorize</u>	<u>Amount</u>
Road System (77/00)	\$22,616,504.49
Transit System (73/00)	8,087,335.48
Support System (76/00)	12,663,915.11
Engineering and Contingencies (57/00)	838,623.88
Advanced R/W & Corridor Preservation (59/00)	1,362,714.74
Traffic Control Devices (61/00)	21,253.37
Safety & Intersection Improvements (63/00)	81,761.60
Pave and Rehab (64/00)	322,570.42

1	Bridge Placement and Rehabilitation (65/00)	\$679,213.10
2	Corridor Preservation (66/00)	2,337,614.25
3	Program Development (74/00)	635,231.41
4	System Preservation (75/00)	<u>6,264,780.34</u>
5	TOTAL	<u>\$55,911,518.19</u>
6	<u>Reauthorize</u>	<u>Amount</u>
7	Road System (77/00)	\$50,572,746.00
8	Support System (76/00)	5,027,740.00
9	Transit System (73/00)	<u>311,031.00</u>
10	TOTAL	<u>\$55,911,517.00</u>

11 Section 96. Astra Zeneca Project. The Department shall continue all of the projects heretofore
12 authorized by the General Assembly for the construction and reconstruction of State highways in and
13 around the intersection of Routes U.S. 202 and State Routes 141 and 292, together with all local connecting
14 roads, as articulated in the Blue Ball Master Development Agreement. The Department shall further carry
15 out all previously authorized and funded projects for transit, bicycle and pedestrian, storm water
16 management, wetlands and stream restoration, beautification, historic preservation and other improvements
17 in concert with the Department of Natural Resources and Environmental Control, Delaware Economic
18 Development Authority, City of Wilmington, New Castle County, New Castle County Conservation
19 District, and such other public and private entities as may be necessary to accomplish timely completion of
20 the Blue Ball Master Plan. The Department shall make every effort to adhere to the project schedule
21 originally laid out and agreed to by all parties, and shall further cooperate with private employers and
22 residents in the affected area to speed the processes of project completions. In so doing, the Department
23 shall insure that:

- 24 (a) The roadway concept plan developed by the joint public process and approved by the
- 25 Governor and the County Executive will be designed and constructed, as proposed. All roadway
- 26 alignments and connections shown in the concept plan will be maintained in the final project design. Only

1 modifications to ensure safety or to minimize or avoid impacts to environmentally sensitive areas will be
2 permitted in the final design. However, no change will be made to the concept that will result in a
3 degradation of the Level of Service as committed by New Castle County and as defined in the Department's
4 response to the Astra Zeneca Traffic Impact Study; and

5 (b) To accommodate the growth projected by Astra Zeneca, the Department will complete all
6 roadway construction improvements by the end of Fiscal Year 2008. The Department will prepare
7 construction contracts and advance them to construction in the most efficient manner possible. Contracts
8 should be prepared and staged to minimize disruption to the existing traffic flow.

9 (c) Periodic workshops will be held to present status reports on project design and to inform the
10 public of progress and anticipated schedules.

11 Section 97. Maintenance and Operations Facilities. The following building structures and
12 facilities constructed or to be constructed within the Department of Transportation's operating right of way
13 for the Interstate Highway System and State Route 1, that are used to assist in the operational and
14 maintenance activities for such road, shall not be subject to zoning, subdivision, or building code
15 ordinances or regulations by any political subdivision of the State: North District Maintenance Area
16 Facilities, a) Chapman Road; b) Talley Road; c) Terminal Avenue; d) SR 141; and e) Marsh Road. Canal
17 District Maintenance Area Facilities, a) Tybouts Corner; b) SR 1 North of North Smyrna Interchange; and
18 c) SR 1 at SR 299 Interchange; for the following types of structures; equipment sheds, crew quarters,
19 equipment maintenance, equipment washing, material storage sheds (i.e. salt, sand and other bulk
20 materials), fuel centers, and other maintenance structures required to maintain the highway system such as
21 security (cameras and fences) including necessary maintenance and replacement items such as upgrades to
22 existing facilities. The Department shall not construct any such facility or make improvements in any such
23 existing facility without first conducting a public workshop to describe such plans and gather public input
24 into the effect of such plans.

25 Section 98. Route 7 and Valley Road Project. Previous legislation has directed the Department to
26 design and construct certain permanent drainage improvements, as well as certain other transportation,

1 recreational, cultural, educational and open space improvements in the area of the newly completed
2 intersection of Route 7 and Valley Road in New Castle County. Pursuant to those directives, the
3 Department has entered into certain contracts, and has developed a master plan for the implementation of
4 such improvements, hereafter referred to as the Valley Road Project. In response to community input on
5 the proposed Valley Road Project, the Department is authorized and directed to relocate the historic
6 Tweed's Tavern from its current location west of Limestone Road to a new location within the bounds of
7 the proposed community recreation area. The Department shall grant the Tavern to the Hockessin Historical
8 Society, and shall enter into any agreements as may be deemed appropriate for the relocation, permanent
9 maintenance and improvement of that structure, and other historic structures deemed consistent with
10 accomplishment of the Valley Road Project. The Department shall also cooperate with private owners of
11 adjacent property to maximize the value, and minimize the cost, of public and private infrastructure needed
12 to support all facilities to be located within or adjacent to the Valley Road Project. In so doing, the
13 Department shall insure that all previously stipulated requirements for the drainage under Valley Road are
14 adhered to, and that adjacent private property owners are not threatened by surplus highway run-off.

15 Section 99. Transportation Enhancements. a) It is the intent of the General Assembly that the
16 Department provide notice to all State agencies, political sub-divisions within the State, and other parties of
17 the availability of, and rules governing, the Transportation Enhancements program. Such notice shall
18 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and
19 such other requirements as may be necessary to insure that any interested entity may work to become a
20 participating recipient under the program. For new projects, the Department of Transportation is directed to
21 submit a detailed list of all projects funded within the Transportation Enhancement Program to the Office of
22 Management and Budget and Office of the Controller General on an annual basis. The State funding for
23 this program shall be limited to the required 20 percent match of the related Federal Authorization. The
24 projects funded by this program shall be limited to the allowable categories as outlined by the Federal
25 Highway Administration. Any deviation from this process must be approved by the Office of Management

1 and Budget, Office of the Controller General and Co-Chairs of the Joint Committee on Capital
2 Improvements.

3 (b) Upon the award of Transportation Enhancement Program funds and prior to the allocation of
4 funding for any Transportation Enhancement project, the Department of Transportation shall notify the
5 respective Senators and Representatives in which said project shall be located.

6 Section 100. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum
7 of \$23,100,000 (State) for projects within the Grants and Allocations classification. The General Assembly
8 further defines its intent with respect to those appropriations as follows:

9 (a) The sum of \$17,600,000 (State) shall be used for the Community Transportation Fund, in
10 accordance with the rules and regulations as adopted by the Joint Legislative Committee on the Capital
11 Improvements Program, as amended from time to time.

12 (b) The sum of \$5,500,000 (State) shall be used for the Municipal Street Aid program, pursuant
13 to the provisions of 30 Del. C. §51.

14 Section 101. 5310 Program. The Delaware Transit Corporation is authorized to expend up to
15 \$1,199,700 (\$793,200 State; \$406,500 Federal) from the Transit System classification (73/00)
16 appropriated in this Act for the 5310 Program, administered by the Federal Transit Authority.

17 Section 102. Transportation Facilities. The Section 1 Addendum of this Act appropriates
18 \$6,150,000 (State) for the improvement and adaptation of departmental facilities. The Department shall
19 cooperate with the City of Wilmington to transfer a portion of the Department's property at the Talley Road
20 Maintenance yard to the City for the purposes of making drainage, access, and pedestrian improvements to
21 the Rock Manor Golf Course.

22 Section 103. EZ Pass Reserve Account. The General Assembly has established an EZ Pass
23 Reserve Account which shall be maintained within the Transportation Trust Fund as a separate account
24 through Fiscal Year 2008. These funds may only be used by the Department in furtherance of its efforts to
25 improve the availability and quality of the EZ Pass assets and services. The funds appropriated in the

1 Section 1 Addendum, and others as may be appropriated by the General Assembly, may be used to satisfy
2 any and all claims resulting from Delaware's membership in the Regional Consortium.

3 Section 104. DeIDOT Work Impacts on Private Property and its Owners. When the Department
4 and/or any of its contractors determines that it would be in the best interests of the State to undertake
5 construction/reconstruction work past 9:00 pm or before 7:00 am, and such work is to be conducted
6 immediately adjacent to a residential neighborhood.

7 (a) The Department shall first ensure that residents of the neighborhood are notified in a timely
8 fashion of the Department's desire to undertake such work. It must explain the benefits and costs to the
9 State and the neighborhood of working under regular hours and the proposed extended hour schedule. Such
10 notification shall include a description of the proposed work to be conducted, the proposed use of any
11 equipment that may cause noise, vibration or odor disruptions to the neighborhood, and an estimate of the
12 time required to complete the project. The Department may proceed with its extended hours of work if it
13 does not receive a significant number of objections from the notified residents. Pursuant to the provisions
14 of the Delaware Code, it shall offer temporary relocation to any residents who request such relocation.

15 (b) If the Department determines that the proposed work (regardless of its scheduled time) will
16 produce noise that exceeds the applicable noise ordinances of the appropriate jurisdiction, the Department
17 shall ensure that it seeks and receives a waiver from that jurisdiction before commencing the work.

18 (c) If the Department determines that the proposed work may cause any vibration or other
19 damage to neighboring property, it shall complete a pre-work survey of the potentially affected properties to
20 determine the base-line condition of those properties. It shall monitor the properties during construction to
21 insure that any vibration or other damage is minimized. If any damage does occur, the Department must
22 reimburse the private property owners pursuant to the provisions of the Delaware Code. The Secretary of
23 the Department may waive the provisions of this section if he/she determines that any such work is
24 necessary in order to respond effectively to an emergency caused by a natural disaster, an accident, or a
25 failure of a transportation investment.

1 Section 105. McMullen Farm. The General Assembly has previously authorized the
2 Department to enter into contracts with the owners of property located in Bear, Delaware known as the
3 McMullen Farm in order to promote improved transportation access and circulation, to promote healthy
4 economic growth, and to preserve and enhance critical open space. The Department is authorized to
5 continue its negotiations for the improvements to Routes 7 and 40, to the system of roads connecting to
6 these arteries, and to the lands adjacent between the bounds of Route 273 and Route 40, Route 1 and Salem
7 Church Road. All previous authorizations to the Department, and other affected State agencies, shall
8 remain in force and effect, and the Secretary of the Department shall report to the Governor and the General
9 Assembly on progress toward the completion of the transportation improvements, development of the
10 excess lands, and creation and improvement of the community parkland no later than May 1, 2008.

11 Section 106. Southern New Castle County. In order to expedite the orderly improvement of
12 roads and other infrastructure in the rapidly growing area of southern New Castle County, the Department
13 is authorized and directed to enter into such joint development agreements as it may deem necessary and
14 appropriate, subject to approval of the Co-Chairs of the Joint Legislative Committee on the Capital
15 Improvement Program and the Director of the Office of Management and Budget. In so doing, the
16 Department should make its best efforts to adhere to the tenets of the model joint development agreement
17 executed between the developers of Westown, the City of Middletown, and the Department, to the extent
18 such provisions are applicable to future projects. If legislation introduced and passed by the Delaware State
19 Senate concerning joint development agreements has been enacted into law, the Department shall pay
20 special attention to the provisions of that statute concerning the advanced acquisition of rights-of-way,
21 public announcements and involvement in workshops concerning the project, and the need for public
22 oversight and inspection of all construction work, regardless of the source of funding and/or the contracting
23 party.

24 Section 107. Indian River Inlet Bridge. State funds authorized in this and previous Acts of the
25 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the
26 construction of new park amenities, access and circulation roads, and other transportation and recreation

1 improvements shall be used, to the maximum extent possible, to match federal funds previously available,
2 or to become available in the future. In keeping with the strong sense of community involvement and sense
3 of ownership, the Department shall continue to provide periodic progress updates through such media as it
4 determines to best address the community's needs. And finally, because in order to accomplish this project
5 in an efficient and cost-effective manner, the Department and its contractors will have to occupy portions of
6 the State's adjacent campground and marina facilities, the General Assembly authorizes and directs the
7 Secretary of the Department to enter into reimbursement agreements with the Secretary of the Department
8 of Natural Resources and Environmental Control (DNREC). Such agreements will insure that during the
9 period of construction of the bridge and other necessary improvements, DNREC shall be equitably
10 indemnified from the loss of critical tourist revenues, which are necessary to fund the operations of all of
11 the State's outdoor recreational facilities.

12 Section 108. Bancroft Parkway, Wilmington. The Department shall cooperate with the City of
13 Wilmington, DNREC, and the Woodlawn Trustees (collectively referred to here as the Bancroft Partners) in
14 the design, funding and construction of a pedestrian bridge across the CSX railroad tracks adjacent to the 9th
15 Street vehicle bridge in Wilmington. The Department shall also use sums available from the Transportation
16 Enhancements program funded in the Section 1 Addendum to this Act to match available local and CTF
17 funds for sidewalk, landscape, and lighting improvements in the vicinity of Union Park Gardens.

18 Section 109. City of Wilmington Beautification. In order to maintain the urban tree canopy
19 available in the City of Wilmington, the General Assembly authorizes and directs the Department to
20 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware
21 Center for Horticulture (Center). It is the intent of the General Assembly that such program shall be funded
22 exclusively by allocations made from time to time by members of the General Assembly from their
23 Community Transportation Funds. The Department shall create an open-ended account with the Center on
24 an expedited sole-source basis, and shall make payments to the Center for work accomplished, and
25 appropriately vouchered, from the CTF funds herein identified.

1 Section 110. Supplies of Road Materials. Section 109 of 74 Del. Laws, c. 308 is suspended until
2 such time as the Department of Transportation shall suggest its re-institution and such suspension has been
3 overridden by an Act of the General Assembly.

4 Section 111. System Capacity Preservation. The General Assembly hereby determines that it is in
5 the public interest to limit future residential, commercial, or industrial growth along certain portions of the
6 State's highway network. Such potential growth would produce unsafe driving conditions as increased
7 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations
8 through the State. The General Assembly further determines that it would be infeasible or imprudent for
9 the Department to attempt to design and construct modifications to the State's highway network adjacent to
10 these locations because such improvements would irrevocably destroy the important scenic and historic
11 nature of the view sheds and other environmental attributes associated with these locations. Accordingly,
12 the Secretary of the Department of Transportation (Secretary) is authorized and directed to use State funds
13 appropriated to the Transportation Enhancements program authorized and funded in the Section 1
14 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as
15 may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary
16 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds
17 for these purposes shall be with the review and approval of the Director of the Office of Management and
18 Budget and Controller General. The provisions of Chapter 1, Title 17, and Chapters 93 and 95, Title 29 of
19 the Del. Code shall govern such purchases, and any other purchase by the Department authorized by this
20 Act.

21 (a) Millcreek Farm (Yearsley) Property – Four parcels totaling approximately 35 +/- acres
22 adjacent to Mill Creek (SR 282) and Stoney Batter (SR 283) Roads in New Castle County. The Department
23 shall work with members of the surrounding community, plus State and local officials, to develop a master
24 plan for the permanent protection of the site as community recreation and open space, and upon satisfactory
25 completion of such plans, may transfer the parcel to New Castle County for a fee to be determined.

1 (b) Mellinger and/or Willow Run Properties – A parcel of land adjacent to Fairgrounds Park in
2 the Town of Elsmere and a second parcel located on Montgomery Road in Willow Run. The Department
3 shall work with members of the surrounding community, plus State and local officials, to develop a master
4 plan for the permanent protection of the site as community recreation and open space, and upon satisfactory
5 completion of such plans, may transfer the parcel to the appropriate parties for a fee to be determined.

6 Section 112. Denny Road/Route 896 Alignment Completion. Upon completion and final
7 inspection of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two
8 parcels (0.93 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of
9 Meadow Glen, shall revert back to the community which had owned said parcels prior to 1994.
10 Notwithstanding the provisions of 17 Del. C. §137, the Department shall deed these parcels to the
11 community and remain in their possession in perpetuity.

12 Section 113. Port of Wilmington. Subject to the review and approval of the Board of Directors of
13 the Diamond State Port Corporation (DSPC):

14 (a) The DSPC may make application to the Delaware River and Bay Authority (DRBA) for
15 such assistance in the acquisition and improvement of facilities at the Port as the Board of the DSPC deems
16 appropriate, in accordance with the Compact authorized under 17 Del. C. §1701. For purposes of those
17 negotiations, any such project selected by the DSPC shall be construed to have been approved by the
18 General Assembly and Governor as required by law subject to the conditions that any such project shall be
19 subject to 29 Del. C. c. 69 and that such projects are subject to the approval of the Director of the Office of
20 Management and Budget, the Controller General and the Co-Chairs of the Joint Legislative Committee on
21 the Capital Improvement Program.

22 (b) The Diamond State Port Corporation is authorized to arrange for the lease of equipment from
23 the State's master lease, secured by the State's full faith and credit, in an amount not to exceed \$5,000,000
24 in the aggregate. The expenditure of these funds and the terms of the lease shall be subject to the review
25 and approval of the Board of Directors of the Diamond State Port Corporation. A report of equipment

1 leased including terms and amounts due shall be made available to the Secretary of Finance, Director of the
2 Office of Management and Budget and Controller General annually.

3 Section 114. YMCA. Pursuant to 73 Del. Laws, c. 350, §89, and in similar previous legislation,
4 the General Assembly determined that certain surplus State lands at Routes 40 and 896 shall be used in a
5 manner that will enhance the quality of life of local residents, such as recreation, public safety,
6 transportation, and public education. In particular, the Department of Transportation was directed to sell
7 one parcel from these surplus lands to the Young Men’s Christian Association (YMCA), with the intention
8 that the money from the sale would be used to offset the construction cost of the new public road needed to
9 provide access, and for a future extension over SR 896 to improve local circulation in the area.

10 The YMCA, through the Community Redevelopment Fund, administered by the Bond Bill
11 Committee, was subsequently allotted \$540,000 for the purchase of this land at the agreed upon price of
12 \$18,000 per acre for 30 acres.

13 The Department is further directed to sell to the YMCA certain additional acreage in the area, in
14 addition to those lands previously authorized for direct sale to the YMCA. These additional properties,
15 totaling 7.1805 acres more or less, are identified as tax parcels 11-027.006, 007 & 008, and shall be sold for
16 the same \$18,000 per acre price established previously. This money is held by the State, and is transferred
17 to the Department of Transportation. In addition, the remaining funds needed to construct the new roadway
18 are approximately \$960,000.

19 The Department is hereby authorized to transfer both the \$540,000 from the Community
20 Redevelopment Fund and up to \$960,000 from the Transportation Trust Fund directly to the YMCA, for the
21 purpose of funding the contract conditions set forth in the competitively-bid process administered by
22 DelDOT, including construction, design, and construction management fees. Any remaining funds from
23 this construction contract after completion shall be returned to the Transportation Trust Fund, pursuant to
24 the funding agreement between the Department and the YMCA.

25 Section 115. Wakefield Drive. The Department of Transportation shall be prohibited from
26 reopening Wakefield Drive in Newark through to Old Baltimore Pike.

1 Section 116. Community Transportation Funding Levels. The Department is directed to account
2 for the Community Transportation Program funds as cash which shall be equal to the amounts authorized in
3 Appendix A of this Act as well as previous Bond and Capital Improvement Acts. The funds authorized
4 within the Community Transportation program shall not be subject to reallocation by the Department under
5 any circumstances.

6 Section 117. Woodland Ferry. Whereas it has been with the effort of Representative Tina Fallon
7 and the Department of Transportation to modernize the Woodland Ferry, a critical means of crossing the
8 Nanticoke River between Seaford and Woodland and Laurel and Bethel, the Department will be replacing
9 said ferry with a new, modernized ferry. The Department of Transportation, in anticipation of replacement
10 of the Woodland Ferry, is directed to name such new ferry the “Tina Fallon”.

11 Section 118. Red Light Safety Enforcement. Pursuant to 73 Del. Laws, c. 350, §92, the General
12 Assembly authorized and directed the Department of Transportation to engage in a 36-month pilot project,
13 in cooperation with Seaford, Dover, Newark, Elsmere, Wilmington, and the Delaware State Police, in
14 operating, maintaining and enforcing a civil video red light safety enforcement program. Pursuant to 75
15 Del. Laws, c. 353, §113, the Department was further directed to evaluate and report on this program to the
16 Joint Legislative Committee on the Capital Improvement Program by no later than February 28, 2007,
17 under terms and conditions relating to extending the program through June 30, 2007, and including the
18 preparation and consideration of a program evaluation and report. Having received that evaluation and
19 report, the General Assembly directs that the program shall be permitted to continue in operation on an
20 open-ended basis, under the following conditions:

21 (1) Amend 21 Del. C. §4101(d) (8) by inserting the phrase “, or a technician employed by a state
22 agency or entity designated by a state agency for the purposes of this section” at the end of the
23 second sentence thereof.

24 (2) Amend 21 Del. C. §4101(d) (9) b. by inserting the phrase “or to the entity handling the
25 administrative appeal process” after the phrase “in court” appearing therein.

- 1 (3) The assessments collected as a result of the Department's administration of this pilot program in
2 unincorporated areas of the state shall be deposited into the Transportation Trust Fund created
3 under 2 Del. C. c. 14.
- 4 (4) Any enforcement location shall remain in place for not less than five years in order to obtain useful
5 statistical information about the suitability of the location in reducing angle crashes.
- 6 (5) The Department shall continue to use recognized safety and accident criteria in determining
7 whether and where to add any new enforcement locations to this program, and in any event shall
8 continue to confirm that any such new locations are not objected to by the incumbent state Senator
9 and Representative for the districts in which such locations are proposed.
- 10 (6) To assure integrity and propriety, no person involved in the administration or enforcement of this
11 program shall own any interest or equity in the vendor used by the Department to support the
12 administrative elements of the program. Any such person with an ownership or equity interest in
13 such vendor must divest from this ownership or investment no later than ninety days after the
14 effective date of this act. This restriction applies to anyone with either direct involvement in
15 administering or enforcing this program and those in any supervisory capacity above such persons.
- 16 (7) The Department shall develop a model and profile of the intersections where video red light safety
17 enforcement technology has proven successful in reducing angle crashes, and shall present this
18 model profile and report on the program's progress at that time to the Joint Committee on Capital
19 Improvements. This report shall be made to the Committee no later than February 28, 2008, along
20 with a report on any progress in discussions with the states of New Jersey, Maryland, and
21 Pennsylvania regarding enforcement reciprocity mechanisms.

22 Section 119. Clear the Road Policy for the I-95 Mainline Widening Project. Notwithstanding the
23 provisions of 21 Del. C. §4206, parked or disabled vehicles may be removed from the shoulders or travel
24 lanes impacted by the I-95 Mainline Widening Project (State #25-090-01, Federal #IM-NO56 (27) under
25 the following conditions:

- 1 1. This section shall apply only to shoulders and travel lanes within the following limits: a) I-95
2 Northbound from the State Route 273 interchange to the start of the Wilmington Viaduct, b) I-
3 95 Southbound from the southern end of the Wilmington Viaduct to the State Route 273
4 interchange; c) I-295 west of U.S. Route 13; and d) I-495 west of U.S. Route 13.
- 5 2. Prior to implementing this section, the Department of Transportation shall place signs along the
6 Interstate highway advising motorists of the Clear the Road Policy, and instructing motorists to
7 move disabled vehicles that can be moved under their own power from the shoulders or travel
8 lanes to an adjacent area.
- 9 3. If the parked or disabled vehicle cannot be moved under their own power to a location off the
10 shoulders or travel lanes, the Department of Transportation shall have the authority to cause the
11 vehicle to be moved to an adjacent area, either with its own forces or pursuant to a contract for
12 this purpose.
- 13 4. If the vehicle is parked or disabled and there is (a) a fatality, or (b) personal injury, or (c) in
14 cases involving hazardous material loads, whether authorized or unauthorized, and movement
15 would cause environmental risk, the vehicle shall not be moved until directed by the police
16 authority with jurisdiction over the scene.

17 Section 120. Amend 75 Del. Laws, c. 353, §106 by deleting the first and second sentences of the
18 section, and inserting in lieu thereof the following:

19 “The Department of Transportation has previously been approved to use various design-build
20 project delivery methods on an experimental basis, for up to twelve transportation construction projects.
21 Design-build is a project delivery method under which a project owner, having defined its initial
22 expectations to a certain extent, executes a single contract for both architectural/engineering services and
23 construction. The selection processes and other terms of such contracts may vary considerably from project
24 to project. The design-build entity may be a single firm, a consortium, joint venture, or other organization.
25 However, the fundamental element of design-build delivery remains that one entity assumes primary
26 responsibility for design and construction of the project.

1 The Department of Transportation is authorized to continue the use of these experimental
2 approaches to completing its projects, subject to the following conditions:

3 (a) The contract terms shall include provisions to pay the prevailing wage rates determined by the
4 Department of Labor, as provided in 29 Del. C. §6960, in conjunction with Federal prevailing wage rates
5 for such work;

6 (b) The following additional provisions of 29 Del. C. c. 69 shall also be incorporated into these
7 design-build contracts: §6962(d)(4)a. (anti-pollution, conservation, environmental measures); §6962(d)(7)
8 (equal employment opportunity assurances); and §6962(d)(8)(performance bonding requirements);

9 (c) Any such contracts shall conform to all applicable Federal laws and regulations concerning
10 design-build contracting, including but not limited to 23 C.F.R. Part 636, without regard to the source of
11 funds; and

12 (d) Any design-build contract for the construction of any transportation facility shall also be
13 subject to the provisions of 17 Del. C. c. 8 (construction payments held in trust for protection of
14 subcontractors and suppliers).

15 All other provisions of 29 Del. C. c. 69 shall not be applicable to these projects.

16 The Indian River Inlet Bridge design-build project shall be included among the experimental project
17 procurements awarded pursuant to this Section. In determining which proposers are responsive and
18 responsible for this project, the Department shall assign a weight of 70% of the price score and 30% of the
19 technical merit score achieved by each proposer competing for the award. The scoring framework shall be
20 based on the criteria communicated to the proposers in the request for proposals and other pre-award
21 documentation the Department makes available to the proposers.”

22 Further amend 75 Del. Laws, c. 353, §106, by inserting the word “other” between the phrase
23 “approve all” and “projects subject to this section” appearing in the third sentence thereof.

24 Section 121. Design-Build Contracts. The Department of Transportation is hereby authorized to
25 continue utilization of the design-build contract mechanism for a total of twelve transportation construction
26 projects (seven of which have been authorized). Design-build is a project delivery method under which a

1 project owner, having defined its initial expectations to a certain extent, executes a single contract for both
2 architectural/engineering services and construction. The selection processes and other terms of such
3 contracts may vary considerably from project to project. The design-build entity may be a single firm, a
4 consortium, joint venture, or other organization. However, the fundamental element of design-build
5 delivery remains that one entity assumes primary responsibility for design and construction of the project.

6 The Department of Transportation is authorized to continue the use of these experimental
7 approaches to completing its projects, subject to the following conditions:

- 8 (a) The contract terms shall include provisions to pay the prevailing wage rates determined by the
9 Department of Labor, as provided in 29 Del. C. §6960, in conjunction with Federal prevailing
10 wage rates for such work;
- 11 (b) The following additional provisions of 29 Del. C. c. 69 shall also be incorporated into these
12 design-build contracts: §6962(d)(4)a. (anti-pollution, conservation, environmental measures);
13 §6962(d)(7) (equal employment opportunity assurances); and §6962(d)(8)(performance
14 bonding requirements);
- 15 (c) Any such contracts shall conform to all applicable Federal laws and regulations concerning
16 design-build contracting, including but not limited to 23 C.F.R. Part 636, without regard to the
17 source of funds; and
- 18 (d) Any design-build contract for the construction of any transportation facility shall also be
19 subject to the provisions of 17 Del. C. c. 8 (construction payments held in trust for protection of
20 subcontractors and suppliers).

21 All other provisions of 29 Del. C. c. 69 shall not be applicable to these projects.

22 Except as required to implement the award and administration of a design-build contract, the
23 provisions of 29 Del. C. c. 69 shall apply to such contracts. The Co-Chairs of the Joint Legislative
24 Committee on the Capital Improvement Program and the Director of the Office of Management and
25 Budget shall approve all other projects subject to this section.

1 Section 122. US 113 South/North Improvements. (a) The Department of Transportation shall be
2 prohibited from proceeding with the US 113 South/North Improvements Project in the Lincoln and Milford
3 area as proposed in the Department’s Capital Transportation Program.

4 (b) The General Assembly urges the Department to continue to work to achieve local consensus for
5 an acceptable alignment corridor for the Milford/Lincoln project area, taking into account the legitimate
6 concerns raised by this community and the needs of the State for regional traffic flow. This may include
7 revisiting other alignments while seeking congressional assistance to ensure the selected alternative will
8 receive Federal and State resource agency concurrence and permits. The support of the Milford/Lincoln
9 project area community will be necessary to seek this congressional assistance. The Department of
10 Transportation shall be required to report back on the progress of this corridor to the Governor and
11 members of the General Assembly no later than January 31, 2008. This language in no way will limit the
12 Department of Transportation’s authority to complete the environmental documentation and seek Federal
13 approvals for all of US 113 South/North Improvements excluding the Lincoln and Milford area.

14 Section 123. New Development Road Widening. When planning and/or permitting additional road
15 widening directly related to new residential development, the Department of Transportation, Division of
16 Planning, shall make every attempt to require the necessary right-of-way land be acquired from the
17 developer owned land.

FIRE PREVENTION COMMISSION

1
2 Section 124. 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 Fire School, Volunteer
4 Hose, Dover and Rehoboth Volunteer fire companies. Upon submitting the receipt of sale, each company
5 will be reimbursed up to \$7,500 by the Fire Prevention Commission - State Fire School (75-02-01).

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 Section 125. College-wide Asset Preservation Program. The Section 1 Addendum of this Act
3 provides funds for Delaware Technical and Community College (90-04-00) for the College-wide Asset
4 Preservation Program. This appropriation may be used for the acquisition of computer hardware and
5 software.

6 Section 126. Stanton Campus Expansion. Delaware Technical and Community College shall apply
7 for all permits and approvals required pursuant to any applicable provision of Titles 9 and 22 of the
8 Delaware Code, or any other ordinance, rule or regulation enacted pursuant thereto in connection with the
9 design and construction of the Stanton Campus Expansion (90-04-04); provided, nevertheless, that any such
10 permit or approval shall be granted within 45 days from the day upon which the college makes application
11 therefore. If any required permit or approval is not granted within 45 days as set forth above, the college
12 may commence construction and shall be immune from any legal action or liability for failing to obtain
13 such permit or approval.

1 **DEPARTMENT OF EDUCATION**

2 Section 127. School Building and Custodial Verification. By September 30 of each calendar year,
3 each school district shall notify the Department of Education of its intended use for each school building
4 and administrative office building. School districts shall notify the Department about changes in the use of
5 such buildings to include the sale of property, closing of a building, lease of property to another agency, and
6 additions and renovations. The Department of Education shall establish a standard reporting mechanism
7 that school districts shall utilize to gather and submit required information.

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

10 Section 128. Land Donation for School Construction. Any land donated to a school district with
11 an approved major capital improvement program shall be required to return to the State one-half of the
12 State share amount originally budgeted for land purchase costs. In such case, the district shall be entitled to
13 keep the remaining one-half State share amount, as well as the full local share amount in accordance with
14 the certificate of necessity.

15 Section 129. Minor Capital Improvements. It is the intent of the General Assembly that the sum of
16 \$7,233,800 allocated in Section 1 of this Act be used for minor capital improvements to school buildings in
17 the following amounts. Districts must use the funds in the amounts below on projects listed on the facility
18 assessment website hosted by the Department of Education.

19 <u>School District</u>	20 <u>Maximum State Share</u>	21 <u>Maximum Local Share</u>	22 <u>Total Cost</u>
23 Appoquinimink	\$ 417,705	\$278,470	\$ 696,175
24 Brandywine	565,619	377,079	942,698
25 Special	4,220	-	4,220
26 Christina	1,044,039	696,026	1,740,065
27 Special	40,552	-	40,552
28 Colonial	564,408	376,272	940,680
Special	9,909	-	9,909
New Castle Vo Tech	348,087	-	348,087

1	Red Clay	850,327	566,885	1,417,212
2	Special	13,487	-	13,487
3	Caesar Rodney	349,500	233,000	582,500
4	Special	20,001	-	20,001
5	Capital	332,435	221,623	554,058
6	Special	8,165	-	8,165
7	Lake Forest	215,843	143,895	359,738
8	Milford	218,265	145,510	363,775
9	Polytech	106,610	-	106,610
10	Smyrna	232,853	155,235	388,088
11	Cape Henlopen	234,119	156,079	390,198
12	Special	13,762	-	13,762
13	Delmar	58,903	39,269	98,172
14	Indian River	440,990	293,993	734,983
15	Special	11,652	-	11,652
16	Laurel	114,280	76,187	190,467
17	Seaford	181,603	121,069	302,672
18	Sussex Tech	112,573	-	112,573
19	Woodbridge	106,628	71,085	177,713
20	Campus Community	31,432	-	31,432
21	Academy of Dover	15,579	-	15,579
22	DE Military Academy	28,515	-	28,515
23	East Side Charter	13,652	-	13,652
24	Family Foundations	12,661	-	12,661
25	Kuumba Academy	14,037	-	14,037
26	Marion T. Academy	29,506	-	29,506
27	Maurice Moyer Academy	14,588	-	14,588
28	M.O.T. Charter	37,157	-	37,157

1	Newark Charter	35,671	-	35,671
2	Odyssey Charter	6,771	-	6,771
3	Pencader Charter	17,946	-	17,946
4	Positive Outcomes	6,716	-	6,716
5	Providence Creek	36,717	-	36,717
6	Sussex Academy	17,781	-	17,781
7	Thomas A. Edison	46,350	-	46,350
8	Wilmington	<u>52,186</u>	<u>-</u>	<u>52,186</u>
9	Total to Schools	\$7,033,800	\$3,951,677	\$10,985,477
10	Vocational Equipment	85,000	56,667	141,667
11	State Board of Education	115,000	76,667	191,667
12	TOTAL	\$7,233,800	\$4,085,011	\$11,318,811

13 Section 130. Dickinson High School. Funding for the Red Clay School District including bond
14 authorizations for renovations of the John Dickinson High School and the transfer of major capital
15 construction funds shall be contingent upon the following:

- 16 1. The lighted football field at Dickinson High School may be used at night only for Dickinson home
17 games and Dickinson band practice; and
- 18 2. The District is required to maintain the fencing between Dickinson High School and the community
19 of Montclare, keep the gate between the properties locked at all times (except by mutual agreement
20 between the District and the Montclare Civic Association), and provide, maintain and replace, if
21 necessary, the Leland Cypress trees along the fence line bordering the homes on Salem Drive.

22 Section 131. Sterck School Siting. The Section 1 Addendum of 75 Del. Laws, c.98 appropriated
23 \$2,700,000 to the Christina School District for the Sterck School. It is the intent of the General Assembly
24 that the new Sterck School be constructed on State of Delaware-owned land along Chestnut Hill Road (Tax
25 Parcels 09-028.00-001, 09-028.00-002 and 09-022.00-118).

1 Section 132. Sterck School. The Section 1 Addendum to 75 Del. Laws, c. 353 appropriated
2 \$8,000,000 for the Margaret S. Sterck School for the Deaf and the Section 1 Addendum to this Act
3 appropriates \$10,000,000 for the same project. It is the intent of the General Assembly that the funding
4 herein and previously appropriated shall be utilized solely for the planning, design and construction for the
5 replacement facility.

6 Section 133. Indian River HVAC. The Section 1 Addendum of 75 Del. Laws, c.98 appropriated
7 \$1,500,000 to the new Sussex Central High School in the Indian River School District to address critical
8 HVAC issues. To the extent the Indian River School District is successful in recouping some or all of the
9 above costs from another party, the Indian River School District shall reimburse the State on a dollar for
10 dollar formula.

11 Section 134. Colonial School District Standardized Design Pilot. The General Assembly hereby
12 authorizes the Colonial School District to engage in a Standardized School Construction pilot project. The
13 District, currently assessing the need for a new elementary school, may use an existing school design owned
14 by the State to construct said elementary school thereby eliminating or reducing potential design and/or
15 architectural expenditures. Any such savings will be used in the construction and outfitting of the facility.
16 Additionally, the District has the option of being exempt from the regulations and ordinances for the
17 selection of professional service providers. Notwithstanding any law, ordinance, regulation or charter
18 provision to the contrary, no State agency, county or municipality is permitted to change the existing as
19 built design of the school being duplicated. The only exception would be a life safety code change that has
20 occurred since the construction of the existing facility.

21 Section 135. School Construction Fund Transfers. Notwithstanding any law or other provision to
22 the contrary, the Department of Education, with the approval of the Director of the Office of Management
23 and Budget and Controller General, may transfer funding between major capital construction projects
24 within the respective school districts. These transfers shall not authorize any changes in conditions or incur
25 any obligations in excess of the approved Certificate(s) of Necessity.

1 Section 136. Christina School District Market Pressure. Pursuant to 75 Del. Laws, c. 353, Section
2 141, the Christina School District notified the Office of Management and Budget and the Office of
3 Controller General of their intent to match market pressure funding with the passage of a referendum. Such
4 referendum shall occur no later than May 1, 2008. If such referendum does not pass by said date, then the
5 district shall be required, if it so chooses, to submit a matching repayment plan, for approval, to the Office
6 of Management and Budget and the Office of the Controller General no later than June 1, 2008. In no case
7 shall the approved repayment plan exceed five years.

8 Section 137. School District Financial Reviews. It is the intent of the General Assembly that for
9 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district
10 financial position report as required under 14 Del. C §1507 demonstrate less than one month of carryover,
11 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its
12 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the
13 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the
14 school district's capital construction program.

15 Section 138. School Construction Contractual Documents. Effective January 1, 2007, all school
16 districts that receive State funds for major capital construction projects shall use standard bid and contract
17 documents developed by the Office of Management and Budget, Facilities Management. School Districts
18 may enhance the standard bid and contract documents with additional contractual or project-specific
19 requirements as long as the enhancements do not diminish and are not in conflict with the provisions of the
20 standard documents. The Department of Education, in consultation with the Office of Management and
21 Budget, Facilities Management, shall approve any modifications or changes to the provisions of the
22 standard bid and contract documents before a School District may use or enhance the modified documents.

23 Section 139. Sunnyside Elementary – Smyrna School District. The Section 1 Addendum to 75
24 Del. Laws c. 353, appropriated \$1,286,700 to the Department of Education for the Sunnyside Elementary
25 School in the Smyrna School District. In lieu of providing the State's 50 percent match for land donated to

1 the District for this project, the District may use Minor Capital Improvement Funds and/or Division III
2 Equalization funds as the local match for this appropriation.

3 Section 140. Amend 14 Del. C. § 511 Delaware Code by adding a new sub-section (m) to read as
4 follows:

5 “(m) A local school board that approves an application for a charter school may do so only
6 on the condition that the charter school is located in and provides all educational and related services, with
7 the exception of transportation services and other K-12 non-instructional services and activities, within the
8 boundaries of the approving local school board’s district lines. Once approved, the charter school may not
9 subsequently change its location from the school district specified in its originally approved charter.”

10 Section 141. Channin and Old Mill Lane Elementary Schools. Of the remaining funds allocated in
11 the FY 2005 Bond and Capital Improvements Act for the demolition of the Channin and Old Mill
12 Elementary Schools; the Brandywine School district is hereby authorized to utilize said funds related to the
13 rehabilitation of the Claymont Elementary School’s playground.

14 Section 142. Amend 29 Del. C. §7503 (b) by inserting a new paragraph after the first paragraph of
15 said subsection to read as follows:

16 “The local share for each school construction project may include an additional amount, not to
17 exceed 15% of the local cost as calculated in the preceding paragraph, to match additional State funds that
18 may be appropriated to address increases in the cost of school construction projects. Provided the district
19 receives referendum approval for this additional amount and the State appropriates additional funds
20 subsequent to referendum passage, the district may increase its local share in accordance with the local
21 share ratio for the project and the approved referendum subject to local school board approval.”

22 Section 143. Bond Verification. All bonds issued, or herein before or herein authorized to be
23 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

24 Section 144. Inconsistency. Insofar as the provisions of this Act are inconsistent with the
25 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
26 controlling.

1 Section 145. Severability. If any section, part, phrase, or provision of this Act or the application
2 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
3 operation to the section, part, phrase, provision, or application directly involved in the controversy in
4 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder
5 of this Act or the application thereof.

6 Section 146. Effective Date. This Act shall take effect in accordance with the provisions of State
7 law.

SYNOPSIS

This Bill is the Fiscal Year 2008 Bond and Capital Improvements Act.

Author: Joint Legislative Committee on the Capital Improvement Program

DEBT LIMIT STATEMENT FOR FISCAL YEAR 2008

This Debt Limit Statement is to be attached to the Fiscal Year 2008 Bond and Capital Improvement Act as required by §7422, Title 29, Delaware Code

(1) Estimated Net General Fund revenue for the Fiscal year ending June 30, 2008 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year.	\$	<u>3,414.1 million</u>
(2) Multiply by 5%.	X	.05
(3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2008.	\$	170.7 million
(4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit.	\$	<u>0 million</u>
(5) AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4).	\$	170.7 million
(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation.	\$	<u>0 million</u>
(7) REMAINING DEBT LIMIT (Line 5 minus Line 6).	\$	<u><u>170.7 million</u></u>


Richard S. Cordrey
June 30, 2007

Delaware Department of Transportation
FY2008 Capital Transportation Program
Appendix A
(in \$000's)

	Appropriation	Other Funding	Federal Authorization	State Authorization	FY 2008 Authorization
Road System 7700					
A. Expressways					
I-295 Improvements, Third Lane from SR 141 to SR 9	7700	0.0	0.0	500.0	500.0
I-295 Improvements, Weave Elimination from I-95 to US 13	7700	0.0	0.0	4,800.0	4,800.0
I-295 Improvements, Westbound from I-295 to US 13 (DRBA)	7700	0.0	0.0	5,200.0	5,200.0
I-95/US 202 Interchange	7700	0.0	1,920.0	672.0	2,592.0
I-95 Maryland State Line to 295	7700	0.0	631.0	0.0	631.0
I-95/SR 141 Interchange	7700	0.0	540.0	60.0	600.0
I-95/SR 1 Interchange	7700	0.0	800.0	500.0	1,300.0
Subtotal Expressways		\$0.0	\$3,891.0	\$11,732.0	\$15,623.0
B. Arterials					
Advanced Acquisition of Rights of Way	7700	0.0	0.0	2,000.0	2,000.0
SR 141, Kirkwood Highway to Faulkland Road	7700	0.0	2,172.3	0.0	2,172.3
SR 141, US 13 to I-95 (includes Bridge over US 13)	7700	0.0	0.0	100.0	100.0
US 13, Philadelphia Pike, Claymont Transportation Plan Implementation	7700	0.0	800.0	400.0	1,200.0
US 301, Maryland State Line to SR 1	7700	0.0	15,000.0	9,400.0	24,400.0
Highway Safety Improvement Program, New Castle County	7700	0.0	0.0	220.0	220.0
SR9 Wilmington Road, 3rd & 6th Street Intersection Improvements	7700	0.0	0.0	1,000.0	1,000.0
SR 141, I-95 to Burnside Boulevard	7700	0.0	0.0	100.0	100.0
US 13, SR 896, Boyd's Corner Intersection	7700	0.0	960.0	240.0	1,200.0
SR 7, Bear-Christiana Road & US 40 Area Improvements	7700	0.0	0.0	2,100.0	2,100.0
SR 1 & SR 9 Intersection at DAFB Bayside Drive	7700	0.0	8,000.0	2,000.0	10,000.0
SR 1, North Frederica Grade Separated Intersection	7700	0.0	0.0	200.0	200.0
SR 1, South Frederica Grade Separated Intersection	7700	500.0	0.0	0.0	500.0
SR 1 Little Heaven Grade Separated Intersection	7700	320.0	2,880.0	0.0	3,200.0
SR 8, Forest Avenue & Pearson's Corner Road Intersection Improvements - I	7700	0.0	0.0	1,000.0	1,000.0
SR 8 & Saulsbury Intersection	7700	25.0	0.0	0.0	25.0
Governors Avenue, Webb's Lane to Water Street	7700	0.0	6,000.0	0.0	6,000.0
Highway Safety Improvement Program, Kent County	7700	0.0	0.0	1,000.0	1,000.0
Indian River Inlet Bridge	7700	0.0	10,490.0	4,000.0	14,490.0
Loockerman Street/Forest Avenue	7700	0.0	0.0	200.0	200.0
New Road, Nassau to Pilottown Road, Lewes	7700	0.0	0.0	750.0	750.0
Rehoboth Avenue & Church Street	7700	0.0	0.0	2,500.0	2,500.0
SR 1, Dewey Beach Pedestrian/Bicycle Improvement	7700	0.0	400.0	0.0	400.0
SR 1A, Dewey Beach Pedestrian Improvements	7700	0.0	0.0	400.0	400.0
SR 26 Detour Routes	7700	0.0	0.0	1,400.0	1,400.0
SR 26, Atlantic Avenue from Clarkesville to Assawoman Canal-Mainline	7700	0.0	11,424.0	3,300.0	14,724.0
US 9/SR 1 (Five Points) Interchange	7700	0.0	0.0	1,500.0	1,500.0
US 113, North/South Capacity Improvements	7700	0.0	2,800.0	4,200.0	7,000.0
Western Parkway	7700	0.0	0.0	1,000.0	1,000.0
Highway Safety Improvement Program, Sussex County	7700	0.0	0.0	1,800.0	1,800.0
Subtotal Arterials		\$845.0	\$60,926.3	\$40,810.0	\$102,581.3

**Delaware Department of Transportation
FY2008 Capital Transportation Program
Appendix A
(in \$000's)**

	Appropriation	Other Funding	Federal Authorization	State Authorization	FY 2008 Authorization
C. Collectors					
Barratts Chapel Road	7700	0.0	0.0	500.0	500.0
Duck Creek Parkway, Smyrna	7700	0.0	0.0	500.0	500.0
West Dover Connector	7700	0.0	1,400.0	1,300.0	2,700.0
SR 24, Love Creek to SR 1	7700	0.0	0.0	1,325.0	1,325.0
SR 24, SR 30 to Love Creek	7700	0.0	0.0	200.0	200.0
SR 54, Mainline Improvements	7700	0.0	8,000.0	1,000.0	9,000.0
Subtotal Collectors		\$0.0	\$9,400.0	\$4,825.0	\$14,225.0
D. Locals					
Wilmington Riverfront Program	7700	0.0	0.0	19,400.0	19,400.0
Clarence Street Extension	7700	0.0	172.3	0.0	172.3
Bombay Hook Road	7700	0.0	861.7	0.0	861.7
N437, Bunker Hill Road, from US 301 to N435, Choptank Road	7700	700.0	0.0	0.0	700.0
N274, Brackenville Road, SR 41, Lancaster Pike to N258, Barley Mill Road	7700	0.0	0.0	3,500.0	3,500.0
N54, Howell School Road, SR 896 to SR 71	7700	0.0	0.0	800.0	800.0
SR 896, N399 Overpass to SR 71	7700	0.0	2,000.0	600.0	2,600.0
Westown Transportation Improvements	7700	0.0	0.0	31,000.0	31,000.0
Harrington Truck Route	7700	665.0	1,806.2	0.0	2,471.2
Pomeroy Branch, Pedestrian & Bicycle Path	7700	298.0	1,013.8	0.0	1,311.8
University of Delaware Bike/Pedestrian Improvements	7700	0.0	200.0	0.0	200.0
Wyoming Mill Road Realignment	7700	0.0	515.2	0.0	515.2
Subtotal Locals		\$1,663.0	\$6,569.2	\$55,300.0	\$63,532.2
E. Bridges					
Bridge Preservation Program	7700	3,400.0	12,790.4	5,600.0	21,790.4
Bridge Management Program	7700	0.0	7,682.0	908.0	8,590.0
Subtotal Bridges		\$3,400.0	\$20,472.4	\$6,508.0	\$30,380.4
F. Rail					
Rail Crossing Safety	7700	0.0	949.6	1,800.0	2,749.6
Subtotal Rail		\$0.0	\$949.6	\$1,800.0	\$2,749.6

**Delaware Department of Transportation
FY2008 Capital Transportation Program
Appendix A
(in \$000's)**

	Appropriation	Other Funding	Federal Authorization	State Authorization	FY 2008 Authorization
G. Other					
Materials & Minor Contracts	7700	0.0	0.0	5,720.0	5,720.0
Pavement Rehabilitations	7700	0.0	21,950.0	42,000.0	63,950.0
Signage & Pavement Markings	7700	0.0	800.0	2,200.0	3,000.0
Highway Safety Improvement Program	7700	0.0	2,200.0	0.0	2,200.0
Intersection Improvements	7700	0.0	0.0	5,000.0	5,000.0
Transportation Enhancements	7700	0.0	5,741.4	850.0	6,591.4
Traffic Calming Program	7700	0.0	0.0	500.0	500.0
Engineering & Contingency	7700	0.0	0.0	15,703.0	15,703.0
Subtotal Other		\$0.0	\$30,691.4	\$71,973.0	\$102,664.4
TOTAL ROAD SYSTEM		\$5,908.0	\$132,899.9	\$192,948.0	\$331,755.9
II. SUPPORT SYSTEM 7600					
Aeronautics	7600	22,113.1	175.0	750.0	23,038.1
Destination Station	7600	0.0	398.0	0.0	398.0
Statewide Rail Preservation (LOCAL)	7600	0.0	0.0	410.0	410.0
Heavy Equipment	7600	0.0	0.0	8,385.0	8,385.0
Planning	7600	0.0	6,394.2	2,170.0	8,564.2
Delaware State University Hydrogen Storage Program	7600	0.0	400.0	0.0	400.0
Technology	7600	0.0	0.0	4,400.0	4,400.0
Transportation Facilities	7600	0.0	0.0	6,150.0	6,150.0
Transportation Management Improvements	7600	0.0	8,600.0	2,060.0	10,660.0
Rail Improvements, Newark to Wilmington Program	7600	3,870.0	12,664.9	0.0	16,534.9
Recreational Trails	7600	0.0	632.0	0.0	632.0
Wilmington Signal Improvements	7600	150.0	0.0	0.0	150.0
Woodland Ferry	7600	0.0	0.0	1,000.0	1,000.0
TOTAL SUPPORT SYSTEM		\$26,133.1	\$29,264.1	\$25,325.0	\$80,722.2
III. Transit System 7300					
Transit Facilities Program	7300	0.0	2,600.0	2,636.0	5,236.0
Transit Vehicles	7300	2,832.0	17,123.8	12,033.0	31,988.8
Preventative Maintenance	7300	0.0	2,675.0	0.0	2,675.0
Inter City Program	7300	0.0	157.7	0.0	157.7
TOTAL TRANSIT SYSTEM		\$2,832.0	\$22,556.5	\$14,669.0	\$40,057.5

**Delaware Department of Transportation
 FY2008 Capital Transportation Program
 Appendix A
 (in \$000's)**

	Appropriation	Other Funding	Federal Authorization	State Authorization	FY 2008 Authorization
IV. Grants and Allocations 5600					
Community Transportation Fund	5600	0.0	0.0	17,600.0	17,600.0
Municipal Street Aid	5600	0.0	0.0	5,500.0	5,500.0
TOTAL GRANTS AND ALLOCATIONS		\$0.0	\$0.0	\$23,100.0	\$23,100.0
GRAND TOTAL		\$34,873.1	\$184,720.5	\$256,042.0	\$475,635.6

**FISCAL YEAR 2008 PAVING AND REHABILITATION LIST
APPENDIX B**

ROAD NAME	ROAD #	FROM	THRU
CONCORD PIKE US 202 NB & SB	1-00004	RD 17 NAAMANS RD	PA LINE
NAAMANS RD	1-00017	CONCRETE JOINT EAST OF I95	RD 24
NAAMANS RD	1-00017	RD 209	EAST OF MOSLEY PLACE
NAAMANS RD	1-00017	WEST OF MERRIBROOK RD	CONCRETE JOINT WEST OF I-95
OLD BALTIMORE PIKE	1-00026	RD 1/140270 (BATTLE DRIVE)	SURFACE TYPE CHANGED FROM 6706 to 6301
LIMESTONE RD NB & SB ROUTE 7	1-00031	GRIFFIN DRIVE	RD 1/123684 (CONCORD DRIVE)
PULASKI HWY WB US 40	1-00032	RD 1/138480 (BROOKMONT DRIVE)	BROADLEAF DRIVE
PULASKI HWY EB US 40	1-00032	RD 1/00356 (WRANGLE HILL RD)	BROOKMONT DR
WASHINGTON ST NB & SB	1-00043	MATSON RUN PKWY	RD 24 PHILADELPHIA PIKE
I-95 EB & WB	1-00056	MD LINE	DE 72
PEACHTREE RD	1-00072	RD 207 DARLEY RD	RD 17 NAAMANS RD
DUPONT PARKWAY NB & SB US 13	1-00082	HM JOINT	US 40
GRUBB RD	1-00209	HM JOINT	RD 24
SHIPLEY RD	1-00214	RD 1/00220 (EDGEMOOR RD)	CONCRETE UNDER I-95
ROCKWOOD RD	1-00216	RD 1/00217 (MILLER RD)	SURFACE TYPE CHANGED FROM CONCRETE TO HOT MIX
MILLER RD	1-00217	RD 1/00504 (WEST 18TH ST)	RD 216 TALLEY RD
LANCASTER PIKE	1-00237	RT 141	RT 2
FAULKLAND RD	1-00270	RD 281 DUNCAN RD	WOODVIEW DR
OLD MILLTOWN RD	1-00317	RD 1/00316 (PIKE CREEK RD)	A ST
STANTON RD	1-00330	RD 336 EB WILMINGTON CHRISTIANA PIKE	RD 12
WALTHER RD	1-00346	RD 1/00032 (PULASKI HWY)	N. OF US 40
REYBOLD RD	1-00385	RD 1/00356 (SUNSET LAKE RD)	RD 1/00048 (SALEM CHURCH RD)
S.COLLEGE AVE EB & WB	1-00387	BOB CARPENTER CENTER ENTRANCE	END OF DIVIDED STATUS
DUCK CREEK RD	1-00486	KENT LINE	RD 1/00047 (VANDYKE GREENSPRING RD)
RAMP 6262	1-06262	RD 6	RD 336 W.NEWPORT PIKE
RAMP 6277	1-06277	RAMP 6278	MALL RING RD
RAMP 6278	1-06278	CONCRETE OVERPASS	RD 336
E.COMMERCE ST	2-00009	US 13	RD 82
COMMERCE ST	2-00039	RD 454	US 13
SANDTOWN RD	2-00056	RD 57	RD 251
NORTH MAIN ST	2-00065	RD 2/00454 (WEST GLENWOOD AVE)	KENT LINE
HOPKINS CEMETERY RD	2-00078	RD 284	RD 285
EAST LIBERTY ST	2-00080	RD 24034 DELAWARE ST	RD 2/00005 (SOUTH DUPONT HWY)
PEACHTREE RUN	2-00105	RD 2/00031 (IRISH HILL RD)	RD 2/00368 (MILLCHOP LA)
SR 1 NB	2-00150	HMJ SOUTH OF ROUTE 10	RT 10 OVERPASS
SR 1 SB	2-00150	RD 356 WB	HMJ NORTH OF RD 356
HOPKINS CEMETERY RD	2-00281	RD 2/00285 (HILLS MARKET RD)	RD 57 DE 12
RT 10	2-00356	US 13	US 113
BARRETT'S CHAPEL RD	2-00371	US 13	RD 2/00381 (FOX CHASE RD)
SUSSEX HIGHWAY NB & SB	3-00001	MD LINE	RD 64
SUSSEX HWY NB & SB	3-00002	Other [RD 468]	RD 481
BISTATE BLVD	3-00013	MORGAN BRANCH BRIDGE	RD 534

**FISCAL YEAR 2008 PAVING AND REHABILITATION LIST
APPENDIX B**

RT 16	3-00016	RD 630	US 113
LEWES-GEORGETOWN HWY	3-00018	RD 3/00114 (BEDFORD ST)	RD 28 MARKET STREET
LEWES-GEORGETOWN HWY	3-00018	RD 3/00261 (SWEETBRIAR RD)	CHURCH RD
RT 24	3-00024	WEST OF RD 275	RT 1
COUNTY SEAT HWY	3-00028	RD 3/00113 (DUPONT BLVD)	RD 3/00018 (N. BEDFORD ST)
SHAWNEE RD DE 36	3-00036	RT 113	REHOBOTH BLVD
NORTH UNION CHURCH RD	3-00042	RD 207	RD 3/00619 (OLD SHAWNEE RD)
ZOAR RD	3-00048	1000' WEST OF RD 297	RT 30
PENNSYLVANIA AVE	3-00051A	N.BETHANY BEACH LIMITS	FIFTH ST
OMAR ROAD	3-00054	RD 3/20015 (KNOX STREET)	RD 3/00356 (HONOLULU RD)
CHURCH ST	3-00058	RT 113	MAIN STREET
PEPPERBOX RD	3-00066	RD 3/00419 (LINE RD)	RD 3/00455A (BAKER RD)
WOODLAND FERRY RD	3-00078	PENN	END OF RD
DUPONT BLVD NB US 113	3-00113	RD 3/00016 (BEACH HWY)	KENT LINE
DUPONT BLVD NB US 113	3-00113	HM JOINT NORTH OF RD 607	RD 16
DUPONT BLVD SB US 113	3-00113	KENT LINE	CONCRETE JOINT
DUPONT BLVD SB US 113	3-00113	HM JOINT NORTH OF RD 16	SURFACE TYPE CHANGED FROM 6201 to 7101
REYNOLDS POND RD	3-00231	RD 3/00016 (BEACH HWY)	RD 230 ISAACS RD
FISHER RD	3-00262	RD 290	RD 285
ZION CHURCH RD DE 20	3-00382	PAVEMENT JOINT NORTH OF RD 372	RD 3/00026 (VINES CREEK RD)
ZION CHURCH RD DE 20	3-00382	RD 3/00384 (BAYARD RD)	RD 3/00052 (ROXANA RD)
OLD STAGE RD	3-00461	RD 3/00070 (GORDY ROAD)	RD 462
SYCAMORE RD	3-00466	RD 3/00002 (SUSSEX HWY)	HM JOINT EAST OF RD 467A
PHILLIPS LANDING RD	3-00496	BEGINNING OF ROAD (BOAT DOCK)	RD 493 MT.PLEASANT RD
OLD RACETRACK RD	3-00502	RD 76	RR CROSSING
GERMAN RD	3-00524	RD 3/00516 (CONCORD POND RD)	RD 3/00046 (OLD FURNACE RD)
DOVE RD	3-00526A	RD 3/00525 (KING RD)	RD 3/00046 (OLD FURNACE RD)
BOYCE RD	3-00547	RD 3/00553 (NEALS SCHOOL RD)	RD 556
COLUMBIA AVENUE	3-43010	RD 3/00015 (REHOBOTH AVE)	RD 3/43055 (SECOND STREET)