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DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 30

AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2021.

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

Section 1. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 168 by making insertions as shown by underline as follows:

Section 168. Kalmar Nyckel. Section 62 of Chapter 303, Volume 81 of the Laws of Delaware specified that certain funds allocated to the Kalmar Nyckel Foundation be used for the planning and design of a replica Kalmar Nyckel and the planning and design of a Delaware Visitor Center to be located on the Wilmington Riverfront. Of these funds, up to \$45,000 may be classified as general unrestricted operations to be used for any purpose.

Section 2. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 169 by making insertions as shown by underline as follows:

Section 169. Community Transportation Funds. Notwithstanding any provision of 29 Del. C. to the contrary, the Department of Transportation is hereby authorized to use Community Transportation Funds for a one-time reimbursement to each of the following:

- (1) The Bowers Fire Company in an amount of up to \$30,000 for a command vehicle.
- (2) Changing Fates Equine Rescue of Delaware, Inc. in the amount of \$24,864 for an entrance project.
- (3) The City of Harrington in the amount of \$110,053 for exterior concrete pads.
- (4) The City of Wilmington in an amount of up to \$350,000 for a lighting infrastructure project on Shipley Street.
- (5) The Delaware Department of Transportation in an amount of up to \$5,000 for banners and flagpoles along the Margaret Rose Henry Bridge in Wilmington.
- (6) The Department of Natural Resources and Environmental Control in an amount of up to \$35,000 for repair of the Barker's Landing boat ramp.

- (7) The Fairthorne Maintenance Corporation in an amount of up to \$10,000 for storm-related tree removal.
- (8) The Greenwood Volunteer Fire Company in an amount of up to \$50,000 for a command vehicle.
- (9) The Hartly Volunteer Fire Company in an amount of up to \$40,000 for ambulance equipment.
- (10) The Lewes/Rehoboth Beach Fire Station in an amount of up to \$58,500 for a paving and exterior concrete project.
- (11) The Modern Maturity Center in an amount of up to \$10,000 for final payment of a meal delivery vehicle.
- (12) The New Castle County Police Department in an amount of up to \$100,000 for a public safety camera project.
- (13) The Nonantum Mills Maintenance Corporation in an amount of up to \$2,000 for a tree and stump removal project.
- (14) The Robbins Hose Company in an amount of up to \$100,000 for two fire service vehicles.
- (15) The South Bowers Volunteer Fire Company in an amount of up to \$30,000 for a command vehicle.
- (16) The Smyrna Volunteer Fire Company in an amount of up to \$90,000 for a traffic safety vehicle.
- (17) The Town of Smyrna in an amount of up to \$90,000 for a rotary mower.

Section 3. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 170 by making insertions as shown by underline as follows:

Section 170. Historical and Cultural Affairs. (a) The Secretary of State is authorized to waive the provisions of Chapter 69 of Title 29 of the Delaware Code to rapidly complete restoration and maintenance projects for historic buildings and sites that the Secretary of State deems critical and threatened by rapid deterioration. Requirements contained in 29 Del. C. § 6960 shall remain in effect.

(b) The Secretary of State is authorized to waive the provisions of Chapters 5, 94 and 95 of Title 29 of the Delaware Code in order to sell, transfer, or acquire historic buildings and sites. Any properties which are transferred shall be subject to an easement designed to protect the historical nature of the historic building or site.

Section 4. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 171 by making insertions as shown by underline as follows:

Section 171. New Castle County Vocational Technical School District. The New Castle County Vocational Technical School District, with the approval of the Secretary of Education, Director of Office of Management and Budget and the Controller General, is authorized to transfer non-obligated funds from the Howard High School/1927 Building (CN 1638A) to St. Georges Technical High School to replace the existing turf field and to Delcastle Technical High School to address water infiltration, welding shop ventilation systems, and handicap accessibility.

Section 5. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 172 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 172. Community Reinvestment Fund. Section 27 of Chapter 86, Volume 82 of the Laws of Delaware distributed funding from the Community Reinvestment Fund to the Peoples Settlement Association – Repair to Cafeteria Roof in the amount of \$50,000. Of this amount, funds may be used by the Peoples Settlement Association for additional roof replacements and repairs.

Section 6. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 173 by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 173. Delaware Stadium Corporation. The Section 1 Addendum of this Act makes an appropriation of \$5,000,000 in General Funds to the Department of State (20-10-01) for the Transportation Infrastructure Investment Fund. Notwithstanding the provisions of Title 29 to the contrary, up to \$980,000 of this appropriation may be used for improvements to the Daniel S. Frawley Stadium. Upon approval of the Director of the Office of Management and Budget, the Secretary of State and the Controller General, said funds shall be released to the Delaware Stadium Corporation upon a commitment by the Delaware Stadium Corporation and Wilmington Blue Rocks (or a successor entity as approved by the Delaware Stadium Corporation) of at least an equal amount each for improvements to the Daniel S. Frawley Stadium and a commitment of a long-term lease agreement by the Wilmington Blue Rocks with the Delaware Stadium Corporation.

Section 7. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 174 by making insertions as shown by underline as follows:

Section 174. Technology Funds Transfer. The Director of the Office of Management and Budget shall be authorized, upon the concurrence of the Controller General, to allocate prior year contingency funds to Legislative Council, Research (01-08-01) to ensure the timely completion of an information system for the Office of the Registrar of Regulations.

Section 8. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 175 by making insertions as shown by underline as follows:

Section 175. Storm Repairs. The Delaware Department of Transportation is hereby authorized to transfer funds for storm related repairs for the August 4, 2020 and August 7, 2020 storms as part of the Resilience Fund to the following:

- (1) The New Castle County Conservation District for the communities of Whitebriar, Skyline Orchard, and Yorklyn Ridge; and
- (2) The Town of Arden.

80 Section 9. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 176 by making
81 insertions as shown by underline as follows:

82 **Section 176. Knollac Acres.** The Delaware Department of Transportation is hereby authorized to utilize
83 Community Transportation Funds to maintain roads in the community of Knollac Acres.

84 Section 10. Amend Chapter 244, Volume 82 of the Laws of Delaware by adding a new Section 177 by making
85 insertions as shown by underline as follows:

86 **Section 177. Rose Hill Community Center.** The Director of the Office of Management and Budget shall be
87 authorized, upon the concurrence of the Controller General, to allocate prior year contingency funds to the Rose Hill
88 Community Center for a gymnasium renovations project.

SYNOPSIS

This Act amends the Fiscal Year 2021 Bond and Capital Improvements Act to (1) authorize a portion of funding previously allocated to the Kalmar Nyckel Foundation to be used for unrestricted operations; (2) authorize additional reimbursements from the Community Transportation Fund; (3) authorize the Secretary of State to rapidly complete restoration and maintenance projects and sell, transfer or acquire historic buildings and sites; (4) authorize New Castle County Vocational Technical School District to transfer non-obligated funds from Howard High School/1927 Building to St. Georges Technical High School and Delcastle Technical High School; (5) authorize funding previously allocated to the Peoples Settlement Association to be used for additional repairs; (6) authorize funding from the Transportation Infrastructure Investment Fund to be used for improvements at the Daniel S. Frawley Stadium; (7) authorize prior year contingency funding to ensure timely completion of a system for the Registrar of Regulations; (8) authorize the Department of Transportation to transfer funding for storm related repairs; (9) authorize the Department of Transportation to use Community Transportation Funds to maintain roads in the Knollac Acres community; and (10) authorize prior year contingency funding for the Rose Hill Community Center renovations project.

Author: Joint Committee on Capital Improvements