



SPONSOR: Sen. Adams  
DeLuca  
Blevins  
Venables

Rep. Gilligan  
Keeley

DELAWARE STATE SENATE

144th GENERAL ASSEMBLY

SENATE BILL NO. 15

JANUARY 25, 2007

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; AMENDING THE LAWS OF DELAWARE; AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS.

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



SECTION 1 ADDENDUM  
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHORIZATIONS	REVERSION		TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION AND REPROGRAMMING	TRANS. TRUST FUND				
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	-	197,700	-	-	-	1,152,300	1,350,000
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
<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	-	-	-	-	-	3,135,400	3,135,400
<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:		\$ 44,150,500	\$ 197,700	\$ -	\$ -	\$ -	\$ 16,105,000	\$ 60,453,200

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHORIZATIONS	REVERSION		TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION AND REPROGRAMMING	TRANS.				
<b>DELAWARE ECONOMIC DEVELOPMENT OFFICE</b>								
Strategic Fund	10-03-03	\$ 12,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000,000
New Economy Initiative Year IV	10-03-03	3,178,100	-	-	-	-	1,821,900	5,000,000
Fraunhofer Vaccine Development	10-03-03	-	-	-	-	-	1,000,000	1,000,000
Diamond State Port Corporation	10-03-03	1,000,000	2,000,000	-	-	-	-	3,000,000
Riverfront Development Corporation	10-03-03	200,000	1,800,000	-	-	-	-	2,000,000
<b>Subtotal:</b>		\$ 16,378,100	\$ 3,800,000	\$ -	\$ -	\$ -	\$ 2,821,900	\$ 23,000,000
<b>DELAWARE STATE HOUSING AUTHORITY</b>								
Housing Development Fund - Preservation	10-08-01	\$ 7,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500,000
<b>Subtotal:</b>		\$ 7,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500,000
<b>STATE</b>								
Museum Maintenance	20-06-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000	\$ 350,000
Library Construction Contingency	20-08-01	131,600	868,400	-	-	-	-	1,000,000
<b>Subtotal:</b>		\$ 131,600	\$ 868,400	\$ -	\$ -	\$ -	\$ 350,000	\$ 1,350,000
<b>HEALTH AND SOCIAL SERVICES</b>								
Maintenance and Restoration	35-01-30	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000
<b>Subtotal:</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500,000	\$ 2,500,000
<b>SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES</b>								
Maintenance and Restoration	37-01-15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
<b>Subtotal:</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000

SECTION 1 ADDENDUM  
FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	REVERSION			TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
		BOND AUTHORIZATIONS	REAUTHORIZATION AND REPROGRAMMING	TRUST FUND				
<b>CORRECTION</b>								
Maintenance and Restoration	38-01-40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000
	Subtotal:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000
<b>NATURAL RESOURCES AND ENVIRONMENTAL CONTROL</b>								
Minor Capital Improvement and Equipment	40-01-01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600,000	\$ 600,000
Park Development/Rehabilitation	40-06-02	-	-	-	-	-	500,000	500,000
Tax/Public Ditches	40-07-02	-	-	-	-	-	1,400,000	1,400,000
Dam Emergency Planning	40-07-02	-	1,000,000	-	-	-	-	1,000,000
Beach Preservation	40-07-03	3,142,500	1,895,000	-	-	-	-	5,037,500
Conservation Cost Share	40-07-04	-	-	-	-	-	3,205,000	3,205,000
	Subtotal:	\$ 3,142,500	\$ 2,895,000	\$ -	\$ -	\$ -	\$ 5,705,000	\$ 11,742,500
<b>SAFETY AND HOMELAND SECURITY</b>								
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
<b>TRANSPORTATION</b>								
Road System	55-05-00	\$ -	\$ -	\$ 23,928,014	\$ 220,751,786	\$ -	\$ -	\$ 244,679,800
Grants and Allocations	55-05-00	-	-	-	23,100,000	-	-	23,100,000
Transit System	55-05-00	-	-	41,376	20,840,124	-	-	20,881,500
Support System	55-05-00	-	-	1,857,091	39,690,909	-	-	41,548,000
	Subtotal:	\$ -	\$ -	\$ 25,826,481	\$ 304,382,819	\$ -	\$ -	\$ 330,209,300

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FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHORIZATIONS	REVERSION		TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZA-TION AND REPROGRAMMING	TRANS.				
<b>AGRICULTURE</b>								
Forestland Preservation Program	65-01-01	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
	Subtotal:	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
<b>FIRE PREVENTION COMMISSION</b>								
Concrete Repair	75-02-01	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ 65,000
Rescue Tool Replacement	75-02-01	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000
	Subtotal:	\$ -	\$ -	\$ -	\$ -	\$ 95,000	\$ -	\$ 95,000
<b>UNIVERSITY OF DELAWARE</b>								
Brown Laboratory Renovation	90-01-01	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000
	Subtotal:	\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000
<b>DELAWARE STATE UNIVERSITY</b>								
Minor Capital Improvement and Equipment	90-03-01	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000	\$ -	\$ 3,500,000
	Subtotal:	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000	\$ -	\$ 3,500,000
<b>DELAWARE TECHNICAL AND COMMUNITY COLLEGE</b>								
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	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400,000
Campus Improvements: Owens Campus	90-04-02	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Health Sciences Building - Stanton Campus	90-04-05	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Campus Improvements: Terry Campus	90-04-06	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
	Subtotal:	\$ 1,800,000	\$ -	\$ -	\$ -	\$ 1,700,000	\$ -	\$ 3,500,000

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FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHORIZATIONS	REVERSION			TRUST FUNDS	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION AND REPROGRAMMING	TRUST FUND REAUTH.	TRUST FUND TRANS.				
<b>EDUCATION</b>									
Minor Capital Improvement and Equipment	95-01-01	\$ -	\$ 5,429,700	\$ -	\$ -	\$ -	\$ 1,804,100	\$ -	\$ 7,233,800
Architectural Barrier Removal	95-01-01	-	-	-	-	-	160,000	-	160,000
Referenda Contingency	95-01-01	5,000,000	-	-	-	-	-	-	5,000,000
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
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
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	3,865,100	-	-	-	-	-	-	3,865,100
Colonial, Renovate George Reed Middle School (67/33)	95-34-00	4,051,700	-	-	-	-	-	-	4,051,700
Sussex Technical, Renovate High School (60/40)	95-40-00	354,300	-	-	-	-	-	-	354,300
Christina, Sterck School (100% State)	95-51-00	10,000,000	-	-	-	-	-	-	10,000,000
<b>Subtotal:</b>		<b>\$ 90,787,300</b>	<b>\$ 5,429,700</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,964,100</b>	<b>\$ -</b>	<b>\$ 98,181,100</b>

SECTION 1 ADDENDUM  
 FISCAL YEAR 2008 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	REVERSION				TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
		BOND AUTHORIZATIONS	REAUTHORIZATION AND REPROGRAMMING	TRUST FUND REAUTH.	TRANS. TRUST FUNDS			
<b>TWENTY-FIRST CENTURY FUND PROJECTS</b>								
Clean Water State Grant	25-01-01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ 1,000,000
Drinking Water State Revolving Fund	25-01-01	-	-	-	-	-	1,650,000	1,650,000
	Subtotal:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,650,000	\$ 2,650,000
	<b>GRAND TOTAL:</b>	\$ 168,390,000	\$ 13,190,800	\$ 25,826,481	\$ 304,382,819	\$ 43,000,000	\$ 554,790,100	



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 \$168,390,000 and in the amount of  
4 \$30,856,400 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	\$44,150,500
Delaware Economic Development Office	16,378,100
Delaware State Housing Authority	7,500,000
Department of State	131,600
Natural Resources and Environmental Control	3,142,500
Agriculture	1,000,000
University of Delaware	3,500,000
Delaware Technical and Community College	1,800,000
Education	90,787,300

<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
Referenda Contingency	\$5,000,000		\$5,000,000
Brandywine, Renovate P.S. Dupont ES (60/40)	1,874,300	\$1,249,500	3,123,800
Brandywine, Construct 600 Pupil ES (60/40)	5,884,800	3,923,200	9,808,000
Brandywine, Construct 600 Pupil ES (Local Only)		3,351,600	3,351,600
Brandywine, Renovate Springer MS (60/40)	13,952,700	9,301,900	23,254,600
Brandywine, Renovate Hanby MS (60/40)	1,600,000	1,066,700	2,666,700
Cape Henlopen, Construct 1,600 Pupil HS (60/40) (Full Local Share in FY 2007)	25,000,000		25,000,000

1	Cape Henlopen, Construct 1,600 Pupil HS		2,989,900	2,989,900
2	(Additional Local Share Only)			
3	Cape Henlopen, Renovate and Add to	1,267,700		1,267,700
4	H.O. Brittingham ES (60/40)			
5	(Full Local Share in FY 2007)			
6	Cape Henlopen, Renovate and Add to	1,278,000		1,278,000
7	Shields ES (60/40)			
8	(Full Local Share in FY 2007)			
9	Cape Henlopen, Renovate and Add to	1,293,000		1,293,000
10	Milton ES (60/40)			
11	(Full Local Share in FY 2007)			
12	Cape Henlopen, Renovate Rehoboth ES	1,357,400		1,357,400
13	(60/40)			
14	(Full Local Share in FY 2007)			
15	Cape Henlopen, Renovate Lewes	390,600		390,600
16	9 <sup>th</sup> Grade Academy (60/40)			
17	(Full Local Share in FY 2007)			
18	Christina, Sterck School for the Deaf (100% State)	10,000,000		10,000,000
19	Colonial, Renovate and Reconfigure	5,143,600		5,143,600
20	McCullough ES (67/33)			
21	(Full Local Share in FY 2007)			
22	Colonial, Renovate William Penn HS (67/33)	7,151,800	3,522,500	10,674,300
23	(Additional Local Match Requested)			
24	Colonial, Renovate Gunning Bedford MS (67/33)	3,865,100	2,888,800	6,753,900
25	(Additional Local Match Requested)			
26	Colonial, Renovate George Reed MS (67/33)	4,051,700	1,995,600	6,047,300
27	Lake Forest, Renovate North ES (80/20)	460,800	115,200	576,000
28	Lake Forest, Renovate Chipman MS (80/20)	861,500	215,300	1,076,800
29	Sussex Technical, Renovate High School (60/40)	354,300	236,200	590,500
30	Subtotal	\$90,787,300	\$30,856,400	\$121,643,700
31			<b>TOTAL</b>	<b><u>\$168,390,000</u></b>

1           Section 3. Transfers to the State Treasurer’s Bond Reversion Account.

<u>Project</u>	<u>Project Appropriation Code</u>	<u>Amount</u>
Women’s Facility	2001-10-02-50-7122	\$118,555.49
NCC Veteran’s Cemetery	2002-10-02-50-7217	724,481.37
Newark Library	2002-20-08-01-7210	16,560.88
Inland Bays (signage)	2002-40-08-02-7210	9,077.00
	<b>TOTAL</b>	<b><u>\$868,674.74</u></b>

9           Section 4. Transfers from the State Treasurer’s Bond Reversion Account. Notwithstanding the

10 provisions of any other State law, the State Treasurer shall transfer, as funds become available, the sum of  
 11 \$868,400 from the State Treasurer’s Bond Reversion Account (94-12-05-03-8101) to the following  
 12 department in the following amount for the purpose set forth in the Section 1 Addendum to this Act:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
14 Department of State 15 (Library Construction Contingency)	\$868,400
	<b>TOTAL           <u>\$868,400</u></b>

17           Section 5. General Fund Reprogramming. (a) Notwithstanding the provisions of any other State

18 law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the  
 19 balances below from the following General Fund projects and reauthorizes the funds to the departments  
 20 listed in subsection (b) of this Section, according to the purposes in the Section 1 Addendum to this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Appropriation Code</u>	<u>Amount</u>
22 Office of Management and Budget		
23       Local Law Enforcement T&E	2004-10-02-05-0813	\$44,666.73
24       Local Law Enforcement T&E	2005-10-02-05-0813	153,119.47
25       New Castle County DMV Lanes	2004-10-02-50-0821	289,754.90
26       Old New Castle Courthouse	2005-10-02-50-0888	100,000.00
27       Power line Relocation	2005-10-02-50-0890	40,000.00

1	Christina School District Loan	2006-10-02-11-0881	5,000,000.00
2	Emergency Relief	2007-10-02-11-0980	2,895,000.00
3		<b>TOTAL</b>	<b><u>\$8,522,541.10</u></b>

4	(b) <u>Department, Agency, or Instrumentality</u>		<u>Amount</u>
5	Office of Management and Budget		
6	(Local Law Enforcement Technology/Education)		\$197,700
7	Natural Resources and Environmental Control		
8	(Dam Emergency Planning)		1,000,000
9	Natural Resources and Environmental Control		
10	(Beach Preservation)		1,895,000
11	Department of Education		
12	(Minor Capital Improvement and Equipment)		5,429,700
13		<b>TOTAL</b>	<b><u>\$8,522,400</u></b>

14           Section 6. Continuing Appropriations. For the fiscal year ending June 30, 2007, any sums in the  
15 following accounts shall remain as continuing appropriations and shall not be subject to a reversion until  
16 June 30, 2008.

17	<u>Fiscal Year</u>	<u>Account Codes</u>	<u>Remarks</u>
18	<u>Appropriation</u>		
19	2005	02-17-01-0805	COTS
20	2004	10-02-02-0815	Technology
21	2004	10-02-02-0816	Technology
22	2005	10-02-05-0805	COTS
23	2004	10-02-05-0814	Technology Fund
24	2005	10-02-50-0809	MCI State
25	2004/05	10-02-50-0813	Troop 5 Conversion
26	2004	10-02-50-0822	Georgetown DMV
27	2005	10-02-50-0827	Armory Conversion
28	2005	10-02-50-0848	Bacon Site
29	2004/05	10-02-50-0875	Old New Castle Courthouse
30	2005	10-02-50-0878	Vets Home
31	2005	10-02-50-0879	Sussex Courthouse
32	2005	10-02-50-0882	Facilities Space Study
33	2005	10-02-50-0886	STARC Headquarters
34	2001	10-02-50-7113	NCC Courthouse
35	2003	10-02-50-7310	Sussex Courthouse
36	2003	10-02-50-7312	MCI Correction
37	2005	10-02-50-7511	Kent County Courthouse
38	1999	10-03-03-0805	Dover Civic Center
39	2005	10-03-03-0805	Delaware Civic Center
40	2001	10-03-03-0821	High Tech Incubator

1	2002	10-03-03-7212	High Technology Incubator
2	2003	10-03-03-7311	High Technology Incubator
3	2002	12-05-03-0888	GF Cap Reprogramming
4	1994	12-05-03-8101	Agency Reversions
5	1994	12-05-03-8102	School Reversions
6	2005	20-01-02-0821	WW II Memorial
7	2005	20-06-04-0801	Museum Maintenance
8	1995	20-08-01-0182	Wilmington Library
9	2005	20-08-01-0801	South Coastal Library
10	1999	20-08-01-0802	Georgetown Library
11	2001	20-08-01-0802	Georgetown Library
12	2004	20-08-01-0803	Harrington Library
13	2004	20-08-01-0804	Hockessin Library
14	2004	20-08-01-0815	Laurel Library
15	2005	20-08-01-0817	Seaford Library
16	2005	20-08-01-0818	Kirkwood Library
17	2005	20-08-01-0820	Greenwood Library
18	1996	20-08-01-6616	North Wilmington Library
19	2001	20-08-01-7110	Bridgeville Library
20	2002	20-08-01-7216	Milton Library
21	2002	20-08-01-7217	Seaford Library
22	2002	20-08-01-7218	Frankford Library
23	2002	20-08-01-7219	Harrington Library
24	2002	20-08-01-7220	Coastal Library
25	2003	20-08-01-7312	Seaford Library
26	2002	25-01-01-7212	Wastewater
27	2003	25-01-01-7310	Drinking Water
28	2003	25-01-01-7311	Water Control Rev Fund
29	2005	35-01-30-0812	MCI
30	2004	35-05-20-0802	Drinking Water
31	2005	35-05-20-0810	Flouridation
32	2004	37-01-25-0822	Cleve White Bldg Renovations
33	2005	38-06-11-0801	Women's Treatment Center
34	2004	40-05-02-0803	Dams/Water Control
35	2005	40-05-02-0803	Dams/Water Control
36	2005	40-05-02-0820	Ommelanden Range
37	2004	40-06-02-0804	Park Rehabilitation
38	2001	40-07-02-0804	Hazard Study
39	1993	40-07-02-6313	Resource, Conservation & Dev
40	2003	40-07-02-7312	Resource, Conservation & Dev
41	2005	40-07-03-0802	Doxsee Improvements
42	2005	40-07-03-0805	New Dredge
43	2001	40-08-01-0800	Wilmington Sewer
44	2001	40-08-01-0801	Wilmington Sewer
45	2004	40-08-01-0802	Wilmington Sewer
46	2005	40-08-01-0802	Wilmington Sewer
47	2004	90-03-01-0802	Airway Science
48	2002	90-03-01-7215	Sports/Wellness Center
49	2002	90-03-01-7217	Technology Building
50	2003	90-03-01-7311	Sports/Wellness Center
51	2004	90-03-01-7411	Sports/Wellness Center
52	2005	90-04-05-0809	Stanton Expansion
53	2005	90-04-06-0802	Technology Building, Terry
54	2005	95-01-01-0801	Arch Accessibility

1	2004/05	95-01-01-0893	MCI
2	2005	95-10-00-0873	MCI/VE
3	2004	95-11-00-7410	Charlton School
4	2005	95-15-00-0872	MCI
5	2005	95-15-00-0881	600 Pupil ES
6	2004	95-17-00-0818	A/C Sussex Consortium
7	2005	95-23-00-0884	Market Pressure
8	1997	95-23-00-6713	Seaford HS
9	1997	95-23-00-6714	Seaford MS
10	1998	95-23-00-6815	Seaford MS
11	2003	95-24-00-7310	District Offices
12	2003	95-24-00-7311	JB Moore MS
13	2003	95-24-00-7312	Smyrna HS
14	2004	95-31-00-0802	Concord HS
15	2004	95-31-00-0803	Forwood ES
16	2004/05	95-31-00-0807	Tech Prep
17	2002	95-31-00-7213	Mount Pleasant
18	2003	95-31-00-7312	Mt. Pleasant HS
19	2004	95-31-00-7410	Concord HS
20	2004	95-31-00-7411	Forwood Renovation
21	2004	95-31-00-7415	Lombardy ES
22	2003	95-32-00-7311	Highlands ES
23	2004	95-32-00-7409	Baltz ES
24	2004	95-32-00-7414	Forest Oak
25	2004	95-32-00-7415	Mote ES
26	2004	95-32-00-7417	Linden Hill
27	2004	95-32-00-7420	Richey ES
28	2004	95-32-00-7425	Warner ES
29	2004	95-32-00-7433	New 640 Pupil ES
30	2004	95-33-00-0803	Renovate Pool
31	2005	95-33-00-0872	MCI
32	2004/05	95-33-00-0873	MCI/VE
33	2003	95-33-00-7311	Brookside ES
34	2003	95-33-00-7315	Palmer IS
35	2003	95-33-00-7316	840 Pupil ES
36	2004	95-33-00-7410	Albert H Jones ES
37	2004	95-33-00-7411	Brookside ES
38	2004	95-33-00-7412	West Park Place ES
39	2004	95-33-00-7413	Kirk MS
40	2004	95-33-00-7414	Pulaski ES
41	2004	95-33-00-7415	Palmer ES
42	2004	95-33-00-7417	Gallaher ES
43	2004	95-33-00-7419	Newark HS
44	2004	95-33-00-7422	Renovate Pool
45	2004	95-33-00-7423	Portables
46	2003	95-34-00-7315	William Penn HS
47	2004	95-34-00-7416	Colwyck ES
48	2004	95-34-00-7417	Eisenberg ES
49	2003	95-36-00-7311	HS North
50	2003	95-36-00-7312	Frankford ES
51	2004	95-36-00-7416	Supplemental, HS
52	2004	95-36-00-7419	Indian River HS
53	2005	95-36-00-7512	Renovate Frankford, ES
54	2005	95-36-00-7519	Renovate HS

1	2005	95-36-00-7522	Renovate Sussex HS
2	2005	95-36-00-7524	Renovate Sussex MS
3	2005	95-38-00-0810	De Skills Center

4           Section 7. Appropriation of General Funds. It is the intent of the General Assembly that \$40,350,000  
5 be appropriated to the following departments of the State and in the following amount for the purposes set  
6 forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30,  
7 2010, shall revert to the General Fund of the State of Delaware. The State hereby authorizes the issuance of  
8 bonds, to which the State shall pledge its full faith and credit, such bonds to be issued in such principal  
9 amount as necessary to provide proceeds to the State in the amount of \$4,207,860 local share of school bonds.  
10 Bonds authorized to be used by this Section shall mature not later than 20 years from their date of issuance.

11	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
12	Office of Management and Budget	\$16,105,000
13	Delaware Economic Development Office	2,821,900
14	Department of State	350,000
15	Department of Health and Social Services	2,500,000
16	Department of Services for Children, Youth and Their Families	100,000
17	Department of Correction	3,000,000
18	Department of Natural Resources and Environmental Control	5,705,000
19	Department of Safety and Homeland Security	2,509,000
20	Fire Prevention Commission	95,000
21	Delaware State University	3,500,000
22	Delaware Technical Community College	1,700,000
23	Department of Education	1,964,100

24		<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
25	<u>Purpose</u>			
26	Minor Capital Improvement	\$1,804,100	\$4,101,160	\$5,905,260
27	and Equipment			
28	Architectural Barrier Removal	160,000	106,700	266,700

1 Subtotal \$1,964,100 \$4,207,860 \$6,171,960

2 TOTAL **\$40,350,000**

3 Section 8. Appropriation of Bond Premium. Notwithstanding the provisions of 29 Del. C. §7414 (a),  
4 of the available premium from bonds or revenue notes sold after January 1, 2004, \$3,800,000 shall be used in  
5 the following amount for the purpose set forth in the Section 1 Addendum to this Act:

6 Department, Agency or Instrumentality Amount

7 Delaware Economic Development Office  
8 (Diamond State Port Corporation) \$2,000,000

9 Delaware Economic Development Office  
10 (Riverfront Development Corporation) 1,800,000

11  
12 TOTAL **\$3,800,000**

13 Section 9. General Funds to 21<sup>st</sup> Century Funds. It is the intent of the General Assembly that  
14 \$2,650,000 be appropriated from General Funds to the Office of the Secretary, Department of Finance (25-  
15 01-01) to be deposited into the Twenty-First Century Fund as established by 29 Del. C. §6102A. These  
16 funds shall be appropriated for the following purposes set forth in the Section 1 Addendum to this Act:

17 Purpose Amount

18 Clean Water State Grant \$1,000,000

19 Drinking Water State Revolving Fund 1,650,000

20 TOTAL **\$2,650,000**

21 Section 10. 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.

27 Section 11. Community Redevelopment Fund Match. Notwithstanding the provisions of 29 Del.  
28 C. §6102A(i)(3), the following Community Redevelopment Fund awards shall not require a local match:



<u>Project</u>	<u>Year of Grant Award</u>
Sussex County Council Gumboro Community Association	F.Y. 1999, 2000, 2001
Town of Kenton Building Renovation Old Kenton School Rehabilitation	F.Y. 2002 F.Y. 2004
Town of Millsboro Police Department	F.Y. 2005

9           Section 12. First State Preservation Revolving Fund, Inc. For Fiscal Year 2008, First State  
10 Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest  
11 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999  
12 and 2000.

13           Section 13. Downtown Milford Inc. Any Community Redevelopment Fund appropriations to  
14 Downtown Milford Inc. – Structural and Façade Improvements may be used for private businesses and  
15 residences, as well as, institutional residences provided said properties are within the Downtown Milford  
16 project area.

17           Section 14. Laurel Redevelopment Corporation. Any proceeds from the sale of property funded in  
18 whole or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation shall  
19 be reinvested in the Medical Center project.

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

1           Section 16. Notification. The Director of the Office of Management and Budget and Controller  
2 General shall notify affected state agencies and other instrumentalities of the State as to certain relevant  
3 provisions of this Act. Additionally, the Director of the Office of Management and Budget and Controller  
4 General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any  
5 legislative appointments required by this Act.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 Section 17. 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 electric 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 18. 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 19. 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 18 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 20. 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 21. 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 22. 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 23. 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 24. 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 25. 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 26. 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 §6962 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 27. Data Center. The General Assembly hereby authorizes the Office of Management and  
7 Budget to enter into a lease-purchase agreement with a land developer on behalf of the Department of  
8 Technology and Information to design and construct a new statewide data center in support of the State of  
9 Delaware’s existing and future technology needs. The center may be constructed on State-owned land, or  
10 may be constructed on land owned by the developer. Said lease-purchase agreement shall be subject to the  
11 approval of the Governor and Co-Chairs of the Joint Legislative Committee on the Capital Improvement  
12 Program. To enable the lease-purchase agreement, all provisions of 29 Del. C. c. 69 are waived with the  
13 exception of §6962 related to prevailing wage rates.

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 28. 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 29. 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 30. 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 31. Kalmar Nyckel. Until such time as all loans receivable by the Riverfront Development  
20 Corporation of Delaware from the Kalmar Nyckel Foundation are paid in full to the satisfaction of the  
21 Riverfront Development Corporation, the scheduling of the Kalmar Nyckel by non-State entities shall  
22 require the approval of the Riverfront Development Corporation. Further, the Riverfront Development  
23 Corporation is encouraged to enter into negotiations with interested parties to review the disposition of  
24 loans to the Kalmar Nyckel.

25 Section 32. DRBA - Delaware State University. For the purpose of complying with the provisions  
26 of 17 Del. C. §1726, requiring the Delaware River and Bay Authority to secure the approval of the General

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

11 Section 33. Transportation Property Disposition. The proceeds from the future sale of parcels of  
12 land the Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva  
13 Properties located in the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

14 Section 34. Council of Development Finance. If the Delaware Economic Development Office  
15 (DEDO) makes an award not in agreement with the recommendations of the Council on Development  
16 Finance (CDF), the Director of the Economic Development Office shall notify the co-chairs of the Joint  
17 Legislative Committee on Capital Improvements within 10 business days. The notification shall include  
18 details of the actual award, the Council recommendations on the proposal, and a justification for why the  
19 Economic Development Office did not follow the recommendations of the Council.

20 Section 35. New Economy Initiative - Year IV. (a) Findings and Purpose. The General Assembly  
21 finds that a critical need exists for the State to employ new initiatives for expanding and attracting new  
22 investors and businesses to the State and accelerate the creation of high-paying jobs in a rapidly  
23 transforming global economy. In particular, the General Assembly finds that: (1) Small high-technology  
24 businesses are innovative, forward-thinking and are the engine of wealth generation and economic growth  
25 throughout the country but do not respond to traditional, tax-based incentive programs; (2) The Delaware  
26 Economic Development Office is experiencing increased opportunities to promote new business creation

1 through technology-based entrepreneurs and entrepreneurial ventures and growth of existing technology-  
2 based business which has necessitated the development of new funding tools to respond to these  
3 opportunities; (3) Delaware must make the investments necessary to develop a thriving entrepreneurial  
4 culture, including the availability of start-up seed and pre-venture funding, and needs to mirror national  
5 trends through the stimulus of public sector seed and pre-venture funding; (4) Delaware is uniquely  
6 positioned to significantly advance the entrepreneurial climate in Delaware through collaboration and  
7 partnerships with First State Innovation, the Delaware Emerging Technology Center, the Intellectual  
8 Property New Business Creation Program, the Sussex County Business Portal, and others; and (5) While  
9 Delaware has created a product mix that supports the enhancement of the entrepreneurial climate from  
10 business inception to stabilization and sustainability, a funding void still exists between the seed funding  
11 and traditional venture capital funding stages.

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

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

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

22 (d) Emerging Technologies Pre-Venture Fund. The Development Office on behalf of the Authority  
23 shall establish the Emerging Technologies Pre-Venture Fund (Pre-Venture Fund). It is the intent of the  
24 General Assembly for the Pre-Venture Fund to foster knowledge-based, fast-growing small businesses in  
25 technology fields such as biotechnology, advanced materials, clean energy, information technology, and  
26 new chemical applications. The purposes of the Pre-Venture Fund shall be: (1) Funding Delaware

1 technology-based small businesses, and those technology-based companies willing to relocate to Delaware;  
2 (2) Providing debt and equity financing between \$150,000 up to \$1,000,000 per transaction for expenses of  
3 such businesses such as laboratory equipment, working capital, lab and office space, patent filings, or  
4 prototyping; and (3) Ensuring a commitment from the recipient to grow the company in Delaware.

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

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

21 Section 36. DuPont Innovation Center Partnership Program. The State of Delaware and DuPont  
22 shall establish a partnership program to begin the transformation of DuPont's Experimental Station Labs  
23 into the DuPont Innovation Center. The purpose of this transformation is to support DuPont's commitment  
24 to Experimental Station Labs as its primary global research and development facility and to provide an  
25 impetus for future growth of aligned and supporting industries across the State and region. This partnership  
26 will require DuPont to make capital investments of \$80 million at Experimental Station Labs through 2009.

1 DuPont will also be required to provide, over the next 5 years free of charge, 250 patents and “proprietary  
2 technology packages” to the Delaware Emerging Technology Center as part of the State’s New Economy  
3 Initiative. DuPont will also collaborate with the State of Delaware to develop a Delaware Biotechnology  
4 Program for High School Students at Experimental Station Labs, consisting of at least 6 interactions per  
5 year beginning in calendar year 2006 through calendar year 2009. DuPont will be required to complete  
6 total capital investments of \$20 million at Experimental Station Labs by June 30, 2007, an additional \$20  
7 million at Experimental Station Labs by December 31, 2008 and an additional \$40 million at Experimental  
8 Station Labs by December 31, 2009 for a total of \$80 million in capital investments. This partnership  
9 program will require DuPont to report its capital expenditures to the Delaware Economic Development  
10 Office within 30 days of each capital investment completion deadline and shall be subject to a grant  
11 agreement and remediation provisions deemed appropriate by the Development Office.

12 Section 37. New Markets Tax Credit Program. In the event that the Director of the Delaware  
13 Economic Development Office or the Director of the Delaware State Housing Authority and the Secretary  
14 of Finance determine that it is advisable to apply for participation in the New Markets Tax Credit Program  
15 under the U.S. Treasury Department, the Director is authorized to form a business entity or organization to  
16 apply for and manage this program on behalf of the State, as required by applicable federal legislation and  
17 regulations. Any such application for said program shall be subject to the approval of the Co-Chairs of the  
18 Joint Legislative Committee on the Capital Improvement Program and the Delaware State Clearinghouse  
19 Committee. Should such application receive final approval by the U.S. Treasury Department or other  
20 federal governmental entity charged with such authority, at least one public hearing shall be held for the  
21 purpose of presenting the program, the availability of financial assistance and the selection process and the  
22 Director of the Delaware State Housing Authority shall notify, by certified and regular mail, any State  
23 senators and representatives in whose districts any development project may be located, upon the  
24 submission of a request for financing and a decision to provide financing for such development pursuant to  
25 the New Market Tax Credit Program. In addition, the Housing Director shall so notify the Chief Executive  
26 Office of any local government in whose jurisdiction any development will be located.

1           Section 38. Blue Ball East Master Plan Implementation. The implementation of the transportation,  
2 stormwater management, and parks and recreation elements of the Blue Ball East Master Plan shall not be  
3 subject to the zoning, subdivision, land use, or building code ordinances or regulations of any political  
4 subdivision of the State.

5           Section 39. Riverfront Development Corporation Board. The composition of the board of directors  
6 of the Riverfront Development Corporation of Delaware as established by the Laws of Delaware, Volume  
7 70, Chapter 210, is hereby amended to provide for eight members to be appointed by the Governor, with  
8 one of those members being appointed chair.

9           Section 40. Riverfront Development Corporation Expenditures. Funds appropriated to the  
10 Delaware Economic Development Office for the Riverfront Development Corporation of Delaware (RDC)  
11 shall be expended only with the approval of the board of directors of the RDC. Funds may only be  
12 expended for activities related to the redevelopment of the Brandywine and Christina riverfront areas,  
13 including: planning and design studies; the acquisition, construction and improvement of real property;  
14 environmental remediation; costs of operations and administration; conversion of the Bank One Center to a  
15 conference center; debt service; and other expenses in furtherance of the mission of the RDC.

16           Section 41. Kent County Levy Court Local Lodging Tax. Kent County Levy Court may issue up  
17 to \$20,000,000 in general obligation bonds for the Dover Civic Center with the resulting debt service to be  
18 paid from the annual operating revenues of the Center. Should the annual operating revenues of the Center  
19 be insufficient at any time during the debt repayment period to cover principal and interest payments, the  
20 Levy Court shall be authorized to impose, by duly enacted ordinance, a local lodging tax for any room or  
21 rooms in a hotel, motel or tourist home, as defined in 30 Del. C. §6101, in an amount sufficient to repay any  
22 principal and interest deficits not covered by Center revenues for the period for which such deficiency  
23 exists. The Levy Court, in consultation with the State Treasurer and Secretary of Finance, shall establish  
24 the rate and duration of any necessary levy. The Levy Court's authority to levy said hotel tax shall sunset  
25 upon repayment of all principal and interest associated with the bond issuance.



1           Section 42. Fraunhofer Vaccine Development. The Section 1 Addendum to this Act appropriates  
2 \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General Assembly and the  
3 Administration that said funds represent the second year of a five year commitment by the State of  
4 Delaware to leverage a 2:1 matching grant of \$10,000,000 from Fraunhofer USA. Further, up to one-third  
5 of the aggregated state match shall be used to increase the capacity of Delaware farmers to participate in the  
6 commercial raising of plants for the production of biopharmaceuticals.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 Section 43. 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 44. 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 45. 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 46. 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 47. 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 48. 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 49. 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 50. 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 51. 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 52. 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 53. Qualified Zone Academy Bonds. A portion of the General Obligation bonds  
2 authorized under this Act for a school construction project may be issued in the form of “Qualified Zone  
3 Academy Bonds” within the meaning of the federal Taxpayer Relief Act of 1997 (QZABs). Such portion  
4 shall be equal to the maximum amount of QZABs which may be issued under such act. Authorization  
5 shall be given to eligible public schools authorized under this Act with the highest percentage of free and  
6 reduced lunch counts for the 2006-2007 school year that elect to participate in the QZAB program as  
7 determined by the Department of Education. The Secretary of Finance is hereby authorized to determine  
8 the terms and conditions of the QZABs and the manner by which they shall be awarded to the purchasers  
9 thereof, including private negotiated sale, notwithstanding anything to the contrary contained in Chapter  
10 74, Title 29 of the Delaware Code; provided that the requirements of Chapter 7422 of Title 29 of the  
11 Delaware Code must be observed.

1 **DEPARTMENT OF CORRECTION**

2 Section 54. 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 55. 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 56. Maintenance and Restoration. The Section 1 Addendum to this Act appropriates  
16 \$3,000,000 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.

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

2           Section 57. 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 58. 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 59. 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 60. 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 61. 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 62. Indian River Marina. (a) In accordance with the provisions of 73 Del. Laws, c. 350,  
19 §70, the Department of Natural Resources and Environmental Control (DNREC) under the direction of 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 § 6102A(e), Title 29, Delaware Code for  
22 the purpose of revitalizing and enhancing public amenities within the Delaware Seashore State Park in and  
23 around the Indian River Marina Complex and related support facilities as presented to the Joint Legislative  
24 Committee on Capital Improvements on May 15, 2002. DNREC will repay both the principal borrowed  
25 and interest on the principal borrowed equal to that interest lost as a result of borrowing from the Account.  
26 Repayment shall not exceed twenty years.

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

7 Section 63. Newark Reservoir. Of the funds allocated from the Twenty-First Century  
8 Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside  
9 for the Newark Reservoir Project. If the City of Newark annexes the property referred to as New Castle  
10 County Tax Parcel #08-059.20-002, the City must repay to the State those monies appropriated in the Fiscal  
11 Year 2000 and 2001 Bond and Capital Improvement Acts for said project.

12 Section 64. Combined Sewer Overflow (CSO) Accountability Working Group. The General  
13 Assembly hereby directs that the CSO Accountability Working Group which was created by the CSO Task  
14 Force and consists of representatives from the General Assembly, City of Wilmington, New Castle County,  
15 US EPA Region III, DNREC, Community Leaders and Public Members be incorporated under the purview  
16 of the Wastewater Facility Advisory Council (WFAC), whose duties as outlined in 29 Del. C. § 8011 (f),  
17 include statewide development of comprehensive wastewater facilities plans. The WFAC will convene the  
18 working group during its regularly scheduled meetings, or upon demand, and will incorporate the  
19 recommendations of the working group into its statewide comprehensive planning and financing efforts.

20 Section 65. Tax Ditches. The Section 1 Addendum to this Act appropriates \$1,400,000 to the  
21 Department of Natural Resources and Environmental Control for Tax/Public Ditches. Of this amount,  
22 \$100,000 shall be allocated to each county with subsequent expenditure of said funds contingent upon a 1:1  
23 match of county funds for tax ditch or public ditch purposes.

24 Section 66. Seventh Street Marina. It is the intent of the General Assembly to classify the Seventh  
25 Street Marina, located on East Seventh Street, being Tax Parcel No. 26.044.00.0013 containing 7.86 acres  
26 of land (of which 5.27 acres, more or less, is above the high water line) as existing marina for purposes of

1 the State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on February 22, 1993.  
2 Such classification does not exempt any person seeking to make physical improvements to the marina from  
3 permit application fees pursuant to 7 Del. C., c. 66 and 72.

4 Section 67. Buried Debris Remediation Program. Funding for the remediation of buried debris  
5 will follow the priority list established by date of application to DNREC for assistance. If, in the opinion of  
6 the Secretary of DNREC, a site represents an exigency, that site can be given a special priority and  
7 remediated as quickly as practicable. Of the \$1,000,000 appropriated in the Section 1 Addendum to 75 Del.  
8 Laws, c. 353 for Debris Pit Remediation and of the \$1,000,000 appropriated for Debris Pits from the  
9 Resource, Conservation and Development Fund in 74 Del. Laws, c.308, §14, \$250,000 will be provided to  
10 the New Castle Conservation District for cost-share assistance to landowners with buried debris on their  
11 properties. To be eligible for cost-share, the site must be listed on the DNREC priority list and meet the  
12 DNREC established criteria for buried debris removal. For projects that cost up to \$40,000, the landowner  
13 must provide twenty-five percent of the cost of remediation including disposal costs. For projects that cost  
14 more than \$40,000, the landowner must provide \$10,000 plus 10 percent of the cost in excess of \$40,000,  
15 including disposal costs. The provisions of this Program shall commence with those projects entitled “FY  
16 2005 New Projects” as contained in the approved Fiscal Year 2005 Resource, Conservation and  
17 Development Projects list. The \$1,000,000 allocated for debris pit remediation in Delaware shall be  
18 administered by DNREC, Division of Soil and Water Conservation. New Castle County shall provide  
19 \$250,000 match.

20 Section 68. Assawoman Canal Dredging. It is the express finding of the General Assembly that  
21 the benefits of dredging and maintaining the Assawoman Canal exceed the costs of such project and the  
22 Secretary of Natural Resources and Environmental Control is hereby directed to initiate all necessary  
23 actions to dredge the Canal pursuant to all terms and conditions provided for in the state and federal permits  
24 issued for the project and initially authorized by Secretary’s Order 2004-W-0047 dated August 12, 2004.

25 Section 69. Channel Markers. The Department of Natural Resources and Environmental Control  
26 (DNREC) is directed to provide dedicated, comprehensive waterway management for state waters.

1 DNREC will: maintain design depths and mark navigational channels of the State that are not maintained  
2 and marked by any entity of the federal government; remove nuisance macroalgae; remove derelict  
3 structures, trees and other debris that threatens safe navigation; and perform any other waterway  
4 management services that may be identified to preserve, maintain and enhance recreational use of the  
5 State's tidal waters, as well as improve environmental conditions as warranted or directed by the Governor  
6 or Secretary of DNREC. DNREC is further directed to undertake a study of the sediment sources and  
7 patterns of sediment movement that results in deposition within State waterways to determine if there are  
8 methods to reduce the dependency on dredging to remove deposited sediments.

9 Section 70. Clayton-Easton Corridor. Notwithstanding the provisions of any other law, the  
10 Department of Natural Resources and Environmental Control may enter into a lease with the State of  
11 Maryland for the use of the Delaware portion of the Clayton-Easton Rail Line presently owned by the  
12 Maryland Mass Transit Authority to develop and manage the property as a recreational rail-trail.

1 **DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

2 Section 71. Helicopter Sale. During the Fiscal Year ending June 30, 2008, the first \$250,000 in  
3 funds derived from the sale of State Police helicopter #407SP shall be retained by the Department and  
4 allocated to the lease/training costs associated with the purchase of a twin-engine helicopter. The remaining  
5 sale proceeds shall be used to support the following:

6 1) Purchase fixed fuel system at each DSP hanger location: Summit Aviation in New Castle

7 County and Georgetown Airport in Sussex County;

8 2) Complete capital improvement upgrades to the Georgetown Airport Hangar as necessary; and

9 3) Use the balance or remaining funds to paint the existing two helicopters dark blue to match the

10 remainder of the fleet.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 72. General Provisions. Notwithstanding the provisions of any State law to the contrary,  
3 the Department of Transportation (Department) is hereby authorized and directed to use all its designated  
4 powers and resources to carry out the following legislative mandates:

5 (a) Transportation Trust Fund Authorizations. Sums not to exceed \$567,189,600 (State:  
6 \$330,209,300; Federal: \$234,657,300; Other: \$2,323,000) are authorized to be withdrawn from the  
7 Transportation Trust Fund to carry out the projects and programs as set forth in the Section 1 Addendum 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 \$141,621,000 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more than  
12 \$132,398,000 shall be used for purposes set forth in the Section 1 Addendum of this Act with the  
13 remainder, not to exceed \$9,223,000 to be used to fund issuance costs and necessary reserves for the  
14 Reserve Account.

15 (c) To deauthorize Road System, Transit System and Support System funds and reauthorize such  
16 balances in accordance with the Section 1 Addendum and Appendix B to this Act:

<u>Deauthorize</u>	<u>Amount</u>
Road System	\$23,928,014
Transit System	41,376
Support System	<u>1,857,091</u>
TOTAL	\$25,826,481
<u>Reauthorize</u>	
Road System	\$23,928,014
Transit System	41,376
Support System	<u>1,857,091</u>
TOTAL	\$25,826,481

1           Section 73. Astra Zeneca Project. The Department shall continue all of the projects heretofore  
2 authorized by the General Assembly for the construction and reconstruction of State highways in and  
3 around the intersection of Routes U.S. 202 and State Routes 141 and 292, together with all local connecting  
4 roads, as articulated in the Blue Ball Master Development Agreement. The Department shall further carry  
5 out all previously authorized and funded projects for transit, bicycle and pedestrian, storm water  
6 management, wetlands and stream restoration, beautification, historic preservation and other improvements  
7 in concert with the Department of Natural Resources and Environmental Control, Delaware Economic  
8 Development Authority, City of Wilmington, New Castle County, New Castle County Conservation  
9 District, and such other public and private entities as may be necessary to accomplish timely completion of  
10 the Blue Ball Master Plan. The Department shall make every effort to adhere to the project schedule  
11 originally laid out and agreed to by all parties, and shall further cooperate with private employers and  
12 residents in the affected area to speed the processes of project completions. In so doing, the Department  
13 shall insure that:

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

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

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

1           Section 74. Maintenance and Operations Facilities. The following building structures and facilities  
2 constructed or to be constructed within the Department of Transportation’s operating rights-of-way for the  
3 Interstate Highway System and State Route 1, that are used to assist in the operational and maintenance  
4 activities for such roads, shall not be subject to zoning, subdivision, or building code ordinances or  
5 regulations by any political subdivision of the State: a) North District, Chapman Road Facility (equipment  
6 shed, roof replacement, and HVAC); b) Canal District, Tybouts Corner Maintenance Area (equipment  
7 sheds, salt storage facility, and one-story area office building); c) North District, Talley Road Maintenance  
8 Area or its replacement (equipment sheds, storage facility, salt storage facility and security/privacy barrier);  
9 d) Canal District, SR 1 North of North Smyrna Interchange (equipment shed, salt storage facility, and one-  
10 story area office building); and e) Canal District, SR 1 at SR 299 Interchange (equipment shed and one-  
11 story area office building). The Department shall not construct any such facility or make improvements in  
12 any such existing facility without first conducting a public workshop to describe such plans and gather  
13 public input into the effect of such plans.

14           Section 75. Route 7 and Valley Road Project. Previous legislation has directed the Department to  
15 design and construct certain permanent drainage improvements, as well as certain other transportation,  
16 recreational, cultural, educational and open space improvements in the area of the newly completed  
17 intersection of Route 7 and Valley Road in New Castle County. Pursuant to those directives, the  
18 Department has entered into certain contracts, and has developed a master plan for the implementation of  
19 such improvements, hereafter referred to as the Valley Road Project. In response to community input on  
20 the proposed Valley Road Project, the Department is authorized and directed to relocate the historic  
21 Tweed’s Tavern from its current location west of Limestone Road to a new location within the bounds of  
22 the proposed community recreation area. The Department shall grant the Tavern to the Hockessin  
23 Historical Society, and shall enter into any agreements as may be deemed appropriate for the relocation,  
24 permanent maintenance and improvement of that structure, and other historic structures deemed consistent  
25 with accomplishment of the Valley Road Project. The Department shall also cooperate with private owners  
26 of adjacent property to maximize the value, and minimize the cost, of public and private infrastructure



1 needed to support all facilities to be located within or adjacent to the Valley Road Project. In so doing, the  
2 Department shall insure that all previously stipulated requirements for the drainage under Valley Road are  
3 adhered to, and that adjacent private property owners are not threatened by surplus highway run-off.

4 Section 76. Transportation Enhancements. It is the intent of the General Assembly that the  
5 Department provide notice to all State agencies, political sub-divisions within the State, and other parties of  
6 the availability of, and rules governing, the Transportation Enhancements program. Such notice shall  
7 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and  
8 such other requirements as may be necessary to insure that any interested entity may work to become a  
9 participating recipient under the program.

10 Section 77. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum of  
11 \$23,100,000 (State) for projects within the Grants and Allocations classification. The General Assembly  
12 further defines its intent with respect to those appropriations as follows:

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

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

18 Section 78. 5310 Program. The Delaware Transit Corporation is authorized to expend up to  
19 \$500,000 (\$100,000 State; \$400,000 Federal) from the Transit System classification (73/00) appropriated in  
20 this Act for the 5310 Program, administered by the Federal Transit Authority.

21 Section 79. Transportation Facilities. The Section 1 Addendum of this Act appropriates  
22 \$7,400,000 (State) for the improvement and adaptation of departmental facilities. The Department shall  
23 cooperate with the City of Wilmington to transfer a portion of the Department's property at the Talley Road  
24 Maintenance yard to the City for the purposes of making drainage, access, and pedestrian improvements to  
25 the Rock Manor Golf Course.

1           Section 80. EZ Pass Reserve Account. The General Assembly has established an EZ Pass  
2 Reserve Account which shall be maintained within the Transportation Trust Fund as a separate account  
3 through Fiscal Year 2008. These funds may only be used by the Department in furtherance of its efforts to  
4 improve the availability and quality of the EZ Pass assets and services. The funds appropriated in the  
5 Section 1 Addendum, and others as may be appropriated by the General Assembly, may be used to satisfy  
6 any and all claims resulting from Delaware's membership in the Regional Consortium.

7           Section 81. DelDOT Work Impacts on Private Property and its Owners. When the Department  
8 and/or any of its contractors determines that it would be in the best interests of the State to undertake  
9 construction/reconstruction work past 9:00 pm or before 7:00 am, and such work is to be conducted  
10 immediately adjacent to a residential neighborhood.

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

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

22           (c) If the Department determines that the proposed work may cause any vibration or other damage  
23 to neighboring property, it shall complete a pre-work survey of the potentially affected properties to  
24 determine the base-line condition of those properties. It shall monitor the properties during construction to  
25 insure that any vibration or other damage is minimized. If any damage does occur, the Department must  
26 reimburse the private property owners pursuant to the provisions of the Delaware Code.

1 The Secretary of the Department may waive the provisions of this section if he/she determines that any such  
2 work is necessary in order to respond effectively to an emergency caused by a natural disaster, an accident,  
3 or a failure of a transportation investment.

4 Section 82. McMullen Farm. The General Assembly has previously authorized the Department to  
5 enter into contracts with the owners of property located in Bear, Delaware known as the McMullen Farm in  
6 order to promote improved transportation access and circulation, to promote healthy economic growth, and  
7 to preserve and enhance critical open space. The Department is authorized to continue its negotiations for  
8 the improvements to Routes 7 and 40, to the system of roads connecting to these arteries, and to the lands  
9 adjacent between the bounds of Route 273 and Route 40, Route 1 and Salem Church Road. All previous  
10 authorizations to the Department, and other affected State agencies, shall remain in force and effect, and the  
11 Secretary of the Department shall report to the Governor and the General Assembly on progress toward the  
12 completion of the transportation improvements, development of the excess lands, and creation and  
13 improvement of the community parkland no later than May 1, 2008.

14 Section 83. Brandywine Park. The Department is authorized and directed to use a portion of the  
15 sums authorized for improvements within the I-95 corridor through the City of Wilmington to restore and  
16 improve public park areas and parking lots, and to provide any required restitution to owners of private  
17 property whose residences and or businesses may have suffered physical damage as a result of the  
18 aforementioned reconstruction.

19 Section 84. Southern New Castle County. In order to expedite the orderly improvement of roads  
20 and other infrastructure in the rapidly growing area of southern New Castle County, the Department is  
21 authorized and directed to enter into such joint development agreements as it may deem necessary and  
22 appropriate, subject to approval of the Co-Chairs of the Joint Legislative Committee on the Capital  
23 Improvement Program and the Director of the Office of Management and Budget. In so doing, the  
24 Department should make its best efforts to adhere to the tenets of the model joint development agreement  
25 executed between the developers of Westtown, the City of Middletown, and the Department, to the extent  
26 such provisions are applicable to future projects. If legislation introduced and passed by the Delaware State

1 Senate concerning joint development agreements has been enacted into law, the Department shall pay  
2 special attention to the provisions of that statute concerning the advanced acquisition of rights-of-way,  
3 public announcements and involvement in workshops concerning the project, and the need for public  
4 oversight and inspection of all construction work, regardless of the source of funding and/or the contracting  
5 party.

6 Section 85. Indian River Inlet Bridge. State funds authorized in this and previous Acts of the  
7 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the  
8 construction of new park amenities, access and circulation roads, and other transportation and recreation  
9 improvements shall be used, to the maximum extent possible, to match federal funds previously available,  
10 or to become available in the future. In keeping with the strong sense of community involvement and sense  
11 of ownership, the Department shall continue to provide periodic progress updates through such media as it  
12 determines to best address the community's needs. And finally, because in order to accomplish this project  
13 in an efficient and cost-effective manner, the Department and its contractors will have to occupy portions of  
14 the State's adjacent campground and marina facilities, the General Assembly authorizes and directs the  
15 Secretary of the Department to enter into reimbursement agreements with the Secretary of the Department  
16 of Natural Resources and Environmental Control (DNREC). Such agreements will insure that during the  
17 period of construction of the bridge and other necessary improvements, DNREC shall be equitably  
18 indemnified from the loss of critical tourist revenues, which are necessary to fund the operations of all of  
19 the State's outdoor recreational facilities.

20 Section 86. Bancroft Parkway, Wilmington. The Department shall cooperate with the City of  
21 Wilmington, DNREC, and the Woodlawn Trustees (collectively referred to here as the Bancroft Partners) in  
22 the design, funding and construction of a pedestrian bridge across the CSX railroad tracks adjacent to the 9<sup>th</sup>  
23 Street vehicle bridge in Wilmington. The Department shall also use sums available from the Transportation  
24 Enhancements program funded in the Section 1 Addendum to this Act to match available local and CTF  
25 funds for sidewalk, landscape, and lighting improvements in the vicinity of Union Park Gardens.

1           Section 87. City of Wilmington Beautification. In order to maintain the urban tree canopy  
2 available in the City of Wilmington, the General Assembly authorizes and directs the Department to  
3 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware  
4 Center for Horticulture (Center). It is the intent of the General Assembly that such program shall be funded  
5 exclusively by allocations made from time to time by members of the General Assembly from their  
6 Community Transportation Funds. The Department shall create an open-ended account with the Center on  
7 an expedited sole-source basis, and shall make payments to the Center for work accomplished, and  
8 appropriately vouchered, from the CTF funds herein identified.

9           Section 88. Design-Build Contracts. The Department of Transportation is hereby authorized to  
10 continue utilization of the design-build contract mechanism for a total of twelve transportation construction  
11 projects (seven of which have been authorized). Except as required to implement the award and  
12 administration of a design-build contract, the provisions of 29 Del. C. c. 69 shall apply to such contracts.  
13 The Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program and the Director of  
14 the Office of Management and Budget shall approve all projects subject to this section.

15           Section 89. Supplies of Road Materials. Section 109 of 74 Del. Laws, c. 308 is suspended until  
16 such time as the Department of Transportation shall suggest its re-institution and such suspension has been  
17 overridden by an Act of the General Assembly.

18           Section 90. System Capacity Preservation. The General Assembly hereby determines that it is in  
19 the public interest to limit future residential, commercial, or industrial growth along certain portions of the  
20 State's highway network. Such potential growth would produce unsafe driving conditions as increased  
21 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations  
22 through the State. The General Assembly further determines that it would be infeasible or imprudent for  
23 the Department to attempt to design and construct modifications to the State's highway network adjacent to  
24 these locations because such improvements to the State's highway network adjacent to these locations  
25 because such improvements would irrevocably destroy the important scenic and historic nature of the view  
26 sheds and other environmental attributes associated with these locations. Accordingly, the Secretary of the

1 Department of Transportation (Secretary) is authorized and directed to use State funds appropriated to the  
2 Transportation Enhancements program authorized and funded in the Section 1 Addendum of 74 Del. Laws,  
3 c. 308, together with such other funds from any public or private source as may be available and  
4 appropriate, to purchase land, or such rights in land, as the Secretary deems necessary to protect the  
5 following properties, pursuant to the stipulations stated herein. Expenditures of these funds for these  
6 purposes shall be with the review and approval of the Director of the Office of Management and Budget  
7 and Controller General. The provisions of Chapter 1, Title 17, and Chapters 93 and 95, Title 29 of the Del.  
8 Code shall govern such purchases, and any other purchase by the Department authorized by this Act.

9 (a) Delaware National (nee Hercules) Golf Course – Approximately 101 +/- acres adjacent to  
10 Hercules Road (SR 282) in New Castle County. The Department shall work with members of the  
11 surrounding community, plus State and local officials, to develop a master plan for the permanent  
12 protection of the site as community recreation and open space, and upon satisfactory completion of such  
13 plans, may transfer the parcel to the appropriate owner(s) for a fee to be determined.

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

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

24 Section 91. Denny Road/Route 896 Alignment Completion. Upon completion and final inspection  
25 of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two parcels (0.93  
26 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of Meadow

1 Glen, shall revert back to the community which had owned said parcels prior to 1994. Notwithstanding the  
2 provisions of 17 Del. C. §137, the Department shall deed these parcels to the community and remain in  
3 their possession in perpetuity.

4 Section 92. Port of Wilmington. Subject to the review and approval of the Board of Directors of  
5 the Diamond State Port Corporation (DSPC):

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

14 (b) The Diamond State Port Corporation is authorized to arrange for the lease of equipment from  
15 the State's master lease, secured by the State's full faith and credit, in an amount not to exceed \$5,000,000  
16 in the aggregate. The expenditure of these funds and the terms of the lease shall be subject to the review  
17 and approval of the Board of Directors of the Diamond State Port Corporation. A report of equipment  
18 leased including terms and amounts due shall be made available to the Secretary of Finance, Director of the  
19 Office of Management and Budget and Controller General annually.

20 Section 93. YMCA. Pursuant to 73 Del. Laws, c. 350, § 89, and in similar previous legislation, the  
21 General Assembly determined that certain surplus State lands at Routes 40 and 896 shall be used in a  
22 manner that will enhance the quality of life of local residents, such as recreation, public safety,  
23 transportation, and public education. In particular, the Department of Transportation was directed to sell  
24 one parcel from these surplus lands to the Young Men's Christian Association (YMCA), with the intention  
25 that the money from the sale would be used to offset the construction cost of the new public road needed to  
26 provide access, and for a future extension over SR 896 to improve local circulation in the area.

1           The YMCA, through the Community Redevelopment Fund, administered by the Bond Bill  
2 Committee, was subsequently allotted \$540,000 for the purchase of this land at the agreed upon price of  
3 \$18,000 per acre for 30 acres. This money is held by the State, and is transferred to the Department of  
4 Transportation. In addition, the remaining funds needed to construct the new roadway are approximately  
5 \$960,000.

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

12           Section 94. Wilmington Riverfront. The General Assembly has determined as a matter of public  
13 policy that it is in the best interests of the citizens of Delaware to apply a limitation of liability for those  
14 entities who executed certain Wilmington Riverfront development agreements with the Department of  
15 Transportation, which agreements are to be assigned to the Delaware Transportation Authority. Permitting  
16 this limitation will enable the Authority, acting through the Delaware Transit Corporation or a subsidiary  
17 corporation thereof, to carry forward the State's commitments to the redevelopment of the Riverfront, as  
18 described in 75 Del.Laws, c. 230, Section 15; 75 Del.Laws, c. 98, Section 94; 74 Del.Laws, c. 308, Section  
19 94; and 74 Del.Laws, c. 69, Section 72(b). Accordingly, no legal or equitable action seeking damages for  
20 personal injury or death as a result of any operation, condition, service, or program related to the parcels  
21 that were the subject of these development agreements shall be permitted, maintained, or recovered against  
22 such entities, except as such activity is and shall be covered by the insurance program authorized under 2  
23 Del.C. Section 1329. The Delaware Transportation Authority or a subsidiary corporation thereof acting  
24 through the Delaware Transit Corporation is expressly given authority to indemnify and save harmless said  
25 entities from any and all liability to the extent such indemnification shall be (1) agreed to be provided in  
26 said contracts, and (2) covered by the insurance program provided pursuant to 2 Del.C. Section 1329. Any



1 such indemnification and hold harmless provisions shall be strictly limited to the terms of the aforesaid  
2 agreements and this section.

3 Section 95. (a) Transportation Enhancement Program. Effective for new projects, the Department  
4 of Transportation is directed to submit a detailed list of all projects funded within the Transportation  
5 Enhancement Program to the Office of Management and Budget and Office of the Controller General on an  
6 annual basis. The State funding for this program shall be limited to the required 20 percent match of the  
7 related Federal Authorization. The projects funded by this program shall be limited to the allowable  
8 categories as outlined by the Federal Highway Administration. Any deviation from this process must be  
9 approved by the Office of Management and Budget, Office of the Controller General and Co-Chairs of the  
10 Joint Committee on Capital Improvements.

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

14 Section 96. Wakefield Drive. The Department of Transportation shall be prohibited from  
15 reopening Wakefield Drive in Newark through to Old Baltimore Pike.

16 Section 97. Community Transportation Funding Levels. The Department is directed to account for  
17 the Community Transportation Program funds as cash which shall be equal to the amounts authorized in  
18 Appendix A of this Act as well as previous Bond and Capital Improvement Acts. The funds authorized  
19 within the Community Transportation program shall not be subject to reallocation by the Department under  
20 any circumstances.

21 Section 98. Woodland Ferry. Whereas it has been with the effort of Representative Tina Fallon  
22 and the Department of Transportation to modernize the Woodland Ferry, a critical means of crossing the  
23 Nanticoke River between Seaford and Woodland and Laurel and Bethel, the Department will be replacing  
24 said ferry with a new, modernized ferry. The Department of Transportation, in anticipation of replacement  
25 of the Woodland Ferry, is directed to name such new ferry the “Tina Fallon”.

**FIRE PREVENTION COMMISSION**

1  
2        Section 99. Hydraulic Rescue Tools Replacement. It is the intent of the General Assembly that the  
3 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 100. 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 101. 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 102. 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 103. 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 104. 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	\$ 419,411	\$279,607	\$ 699,018
24 Brandywine	567,930	378,620	946,550
25 Special	4,238	-	4,238
26 Christina	1,048,305	698,870	1,747,175
27 Special	11,976	-	11,976
28 Colonial	566,714	377,809	944,523
Special	9,949	-	9,949
New Castle Vo Tech	349,509	-	349,509

1	Red Clay	853,802	569,201	1,423,003
2	Special	13,542	-	13,542
3	Caesar Rodney	350,928	233,952	584,880
4	Special	20,083	-	20,083
5	Capital	333,794	222,529	556,323
6	Special	8,199	-	8,199
7	Lake Forest	216,725	144,483	361,208
8	Milford	219,157	146,106	365,263
9	Polytech	107,045	-	107,045
10	Smyrna	233,805	155,870	389,675
11	Cape Henlopen	235,076	156,717	391,793
12	Special	13,818	-	13,818
13	Delmar	59,144	39,429	98,573
14	Indian River	442,792	295,195	737,987
15	Special	11,699	-	11,699
16	Laurel	114,747	76,498	191,245
17	Seaford	182,346	121,564	303,910
18	Sussex Tech	113,033	-	113,033
19	Woodbridge	107,064	71,376	178,440
20	Campus Community	31,561	-	31,561
21	Academy of Dover	15,642	-	15,642
22	DE Military Academy	28,631	-	28,631
23	East Side Charter	13,708	-	13,708
24	Family Foundations	12,713	-	12,713
25	Kuumba Academy	14,095	-	14,095
26	Marion T. Academy	29,626	-	29,626
27	Maurice Moyer Academy	14,647	-	14,647
28	M.O.T. Charter	37,309	-	37,309

1	Newark Charter	35,817	-	35,817
2	Odyssey Charter	6,799	-	6,799
3	Pencader Charter	18,019	-	18,019
4	Positive Outcomes	6,743	-	6,743
5	Providence Creek	36,867	-	36,867
6	Sussex Academy	17,853	-	17,853
7	Thomas A. Edison	46,540	-	46,540
8	Wilmington	<u>52,399</u>	<u>-</u>	<u>52,399</u>
9	Total to Schools	\$7,033,800	\$3,967,826	\$11,001,626
10	Vocational Equipment	85,000	56,667	141,667
11	State Board of Education	115,000	76,667	191,667
12	<b>TOTAL</b>	<b>\$7,233,800</b>	<b>\$4,101,160</b>	<b>\$11,334,960</b>

13           Section 105. 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 106. 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 107. 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 108. 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 109. 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 110. 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 111. Colonial School District Land Conveyance. Notwithstanding 14 Del. C. §1057, the  
2 Colonial School District is authorized to convey parcel #10-025.10-027 (25 Hebert Drive, Penn Acres, New  
3 Castle, DE 19720) to adjacent property owner(s). This conveyance shall be “as is” in that the adjacent  
4 property owner(s) shall accept the land in its present condition.

5           Section 112. Administrative Office Complex – Red Clay Consolidated School District. The Red  
6 Clay Consolidated School District is hereby authorized to purchase the property at 4550 New Linden Hill  
7 Road, Wilmington, DE (Linden Park Office Building) for use as administrative office space.  
8 Notwithstanding any other restrictions which might otherwise be applicable, the District is authorized to  
9 utilize lease proceeds to fund the purchase of such property and to support the annual cost of principal and  
10 interest for any funds borrowed for such purchase or loans assumed for such purchase. The District is  
11 further authorized to lease out portions of the property and building to third party tenants at such rental rates  
12 and for such terms as the District determines to be appropriate, whether or not such third party tenants use  
13 the property or building for educational purposes, and, the District need not engage in a public bidding  
14 process or other such process to lease such space, but may lease the space as if were a private property  
15 owner, using (or not using) real estate brokers and other market devices and techniques to lease such  
16 property. No current expense funds shall be used to pay the principal and interest payments associated with  
17 the purchase of said property.

18           Section 113. Christina School District Market Pressure. Pursuant to 75 Del. Laws, c. 353, Section  
19 141, the Christina School District notified the Office of Management and Budget and the Office of  
20 Controller General of their intent to match market pressure funding with the passage of a referendum. Such  
21 referendum shall occur no later than May 1, 2008. If such referendum does not pass by said date, then the  
22 district shall be required, if it so chooses, to submit a matching repayment plan, for approval, to the Office  
23 of Management and Budget and the Office of the Controller General no later than June 1, 2008. In no case  
24 shall the approved repayment plan exceed five years.

25           Section 114. School District Financial Reviews. It is the intent of the General Assembly that for  
26 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district



1 financial position report as required under 14 Del. C §1507 demonstrate less than one month of carryover,  
2 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its  
3 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the  
4 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the  
5 school district’s capital construction program.

6 Section 115. School Construction Contractual Documents. Effective January 1, 2007, all school  
7 districts that receive State funds for major capital construction projects shall use standard bid and contract  
8 documents developed by the Office of Management and Budget, Facilities Management. School Districts  
9 may enhance the standard bid and contract documents with additional contractual or project-specific  
10 requirements as long as the enhancements do not diminish and are not in conflict with the provisions of the  
11 standard documents. The Department of Education, in consultation with the Office of Management and  
12 Budget, Facilities Management, shall approve any modifications or changes to the provisions of the  
13 standard bid and contract documents before a School District may use or enhance the modified documents.

14 Section 116. Sunnyside Elementary – Smyrna School District. The Section 1 Addendum to 75  
15 Del. Laws c. 353, appropriated \$1,286,700 to the Department of Education for the Sunnyside Elementary  
16 School in the Smyrna School District. In lieu of providing the State’s 50 percent match for land donated to  
17 the District for this project, the District may use Minor Capital Improvement Funds and/or Division III  
18 Equalization funds as the local match for this appropriation.

19 Section 117. Bond Verification. All bonds issued, or herein before or herein authorized to be  
20 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

21 Section 118. Inconsistency. Insofar as the provisions of this Act are inconsistent with the  
22 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be  
23 controlling.

24 Section 119. Severability. If any section, part, phrase, or provision of this Act or the application  
25 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its  
26 operation to the section, part, phrase, provision, or application directly involved in the controversy in

1 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder  
2 of this Act or the application thereof.

3 Section 120. Effective Date. This Act shall take effect in accordance with the provisions of State  
4 law.

### **SYNOPSIS**

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

Author: Office of Management and Budget

**APPENDIX A  
FISCAL YEAR 2008  
CAPITAL TRANSPORTATION PROGRAM  
(in 000's)**

	OTHER FUNDING	FEDERAL AUTHORIZATION	STATE AUTHORIZATION	FY 2007 AUTHORIZATION
<b>Road System</b>				
<b>A. Expressways</b>				
Glenville Wetland Bank		3,220.0		3,220.0
I-295 Improvements, Third Lane from SR 141 to SR 9			500.0	500.0
I-295 Improvements, Weave Elimination from I-95 to US 13			4,800.0	4,800.0
I-295 Improvements, Westbound from I-295 to US 13 (DRBA)			4,700.0	4,700.0
I-95/US 202 Interchange		28,000.0	5,000.0	33,000.0
<b>Subtotal Expressways</b>	<b>\$0.0</b>	<b>\$31,220.0</b>	<b>\$15,000.0</b>	<b>\$46,220.0</b>
<b>B. Arterials</b>				
Advanced Acquisition of Rights of Way			2,000.0	2,000.0
I-95/SR 141 Interchange		540.0	60.0	600.0
SR 4, Christina Parkway from SR 2, Elkton Road to SR 896, South College Avenue			40.0	40.0
SR 141, Kirkwood Highway to Faulkland Road		18,272.0	2,228.0	20,500.0
SR 141, US 13 to I-95 (includes Bridge over US 13)			100.0	100.0
SR 2, South Union Street from Railroad Bridge to Sycamore Street, Wilmington		40.0		40.0
US 13, Philadelphia Pike, Claymont Transportation Plan Implementation		1,600.0	400.0	2,000.0
US 301 Truck Weigh Station and Inspection Facility		1,267.2	316.8	1,584.0
US 301, Maryland State Line to SR 896			22,858.0	22,858.0
Washington Street, New Castle		220.0	65.0	285.0
Highway Safety Improvement Program, New Castle County			220.0	220.0
New Castle City, Miscellaneous Improvements			1,000.0	1,000.0
SR 141, I-95 to Burnside Boulevard			100.0	100.0
US 13 and SR 896, Boyd's Corner Road		960.0	249.0	1,209.0
SR 15, Choptank Road from N 437, Bunker Hill Road to N 286, Bethel Church Road		10,589.6	3,446.4	14,036.0
SR 72, Possum Park Road from N 299, Possum Hollow Road to Old Possum Park Road			400.0	400.0
US 40 and SR 7 Area Improvements Program			2,600.0	2,600.0
N274, Brackenville Road, SR 41, Lancaster Pike to N258, Barley Mill Road			2,704.0	2,704.0
N 282, Mill Creek Road and Stoney Batter Road Intersection			549.0	549.0
Southern New Castle County Improvements			3,350.0	3,350.0
SR 896 at N54 & N396 Intersection, Including Howell School Road to SR 71			2,745.0	2,745.0
SR 896, N399 Overpass to SR 71 Concrete Rehabilitation		200.0	600.0	800.0
SR 1 Truck Weight Station and Inspection Facility		3,040.0	1,560.0	4,600.0
Westtown Transportation Improvements			26,415.0	26,415.0
SR 1 & SR 9 Intersection at DAFB Bayside Drive		8,000.0	2,803.0	10,803.0
SR 1, South Frederica - Intersection			500.0	500.0
SR 1, North Frederica Intersection			250.0	250.0
SR 1, Thompsonville Intersection			10.0	10.0
SR 8, Forest Avenue and Pearson's Corner Road Intersection Improvements - HSP			1,200.0	1,200.0
US 13 Pedestrian Improvements, Townsend Boulevard to College Road			500.0	500.0
Highway Safety Improvement Program, Kent County		450.0	10,250.0	10,700.0
Carter Road (K137), Sunnyside Road to Wheatley's Pond Road, Smyrna			1,343.2	1,343.2
Duck Creek Parkway, Smyrna			500.0	500.0
Beach Area Improvements			35.0	35.0
New Road, Nassau to Pilottown Road, Lewes			750.0	750.0
Rehoboth Entrance Improvements			8,400.0	8,400.0
SR 1, Sidewalks, Canal to Nassau			550.0	550.0
SR 1A, Dewey Beach Pedestrian Improvements			350.0	350.0
SR 26 Local Roadway Improvements, SR 17 to S361			3,650.0	3,650.0
SR 26, Atlantic Avenue from Clarkesville to Assawoman Canal-Mainline		21,480.8	5,370.2	26,851.0
US 9 / SR 1 (Five Points) Interchange			4,695.0	4,695.0
US 113, South/North Capacity Improvements		18,800.0	6,700.0	25,500.0
US 13 / DE 404 Intersection Realignment and Bridgeville Service Roads		17,842.8	5,559.2	23,402.0
US 13, Laurel Intersection Improvements			735.0	735.0
Western Parkway			1,014.0	1,014.0
Highway Safety Improvement Program, Sussex County			1,800.0	1,800.0
<b>Subtotal Arterials</b>	<b>\$0.0</b>	<b>\$103,302.4</b>	<b>\$130,970.8</b>	<b>\$234,273.2</b>
<b>C. Collectors</b>				
SR 24 Program			230.0	230.0
SR 24, Love Creek to SR 1			1,475.0	1,475.0
SR 24, SR 20 to Love Creek			200.0	200.0
SR 54, US113 to S-58C		5,200.0	1,800.0	7,000.0
<b>Subtotal Collectors</b>	<b>\$0.0</b>	<b>\$5,200.0</b>	<b>\$3,705.0</b>	<b>\$8,905.0</b>
<b>D. Locals</b>				
Angola Road Improvements Road 279 to SR 24			2,500.0	2,500.0
Camp Arrowhead Road Improvements SR 24 to Road 277			197.0	197.0
Wilmington Signal Improvements	300.0	3,000.0		3,300.0
Wilmington Riverfront Program			16,400.0	16,400.0
DuPont Manor Drainage			811.0	811.0

**APPENDIX A  
FISCAL YEAR 2008  
CAPITAL TRANSPORTATION PROGRAM  
(in 000's)**

	OTHER FUNDING	FEDERAL AUTHORIZATION	STATE AUTHORIZATION	FY 2007 AUTHORIZATION
SR 24 Local Roadway Improvements			250.0	250.0
<b>Subtotal Locals</b>	<b>\$300.0</b>	<b>\$3,000.0</b>	<b>\$20,158.0</b>	<b>\$23,458.0</b>
<b>E. Bridges</b>				
Bridge Preservation Program		8,372.0	6,628.0	15,000.0
Bridge Management Program		3,632.0	908.0	4,540.0
Indian River Inlet Bridge and Area Improvements		10,400.0		10,400.0
Woodland Ferry			1,525.0	1,525.0
<b>Subtotal Bridges</b>	<b>\$0.0</b>	<b>\$22,404.0</b>	<b>\$9,061.0</b>	<b>\$31,465.0</b>
<b>F. Rail</b>				
Amtrak Recapitalization			967.0	967.0
Rail Improvements, Newark to Wilmington Program		8,664.0	5,058.0	13,722.0
Rail Crossing Safety		949.6	305.0	1,254.6
<b>Subtotal Rail</b>	<b>\$0.0</b>	<b>\$9,613.6</b>	<b>\$6,330.0</b>	<b>\$15,943.6</b>
<b>G. Other</b>				
Materials and Minor Contracts			5,720.0	5,720.0
Aeronautics		175.0	750.0	925.0
Paving Program				-
Pavement Rehabilitations		12,000.0	43,835.0	55,835.0
Safety Improvements Program		2,200.0	600.0	2,800.0
Signage and Pavement Markings		800.0	2,200.0	3,000.0
Intersection Improvements			5,000.0	5,000.0
Transportation Enhancements		3,400.0	850.0	4,250.0
Traffic Calming Program			500.0	500.0
Delaware State University Hydrogen Storage Program	500.0			500.0
University of Delaware Fuel Cell Program	1,523.0			1,523.0
<b>Subtotal Other</b>	<b>\$2,023.0</b>	<b>\$18,575.0</b>	<b>\$59,455.0</b>	<b>\$80,053.0</b>
<b>TOTAL ROAD SYSTEM</b>	<b>\$2,323.0</b>	<b>\$193,315.0</b>	<b>\$244,679.8</b>	<b>\$440,317.8</b>
<b>II. Grants and Allocations</b>				
Community Transportation Fund			17,600.0	17,600.0
Municipal Street Aid			5,500.0	5,500.0
<b>TOTAL GRANTS AND ALLOCATIONS</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$23,100.0</b>	<b>\$23,100.0</b>
<b>III. Transit System</b>				
<b>A. Vehicles</b>				
Transit Facilities Program		240.0	6,435.0	6,675.0
Transit Vehicles		27,020.3	14,446.5	41,466.8
<b>TOTAL TRANSIT SYSTEM</b>	<b>\$0.0</b>	<b>\$27,260.3</b>	<b>\$20,881.5</b>	<b>\$48,141.8</b>
<b>IV. SUPPORT SYSTEM</b>				
A. Engineering and Contingencies			14,792.0	14,792.0
B. Heavy Equipment			9,686.0	9,686.0
C.Planning		5,842.0	3,110.0	8,952.0
D. Technology			4,500.0	4,500.0
E. Transportation Facilities			7,400.0	7,400.0
F. Transportation Management Improvements		8,240.0	2,060.0	10,300.0
<b>TOTAL SUPPORT SYSTEM</b>	<b>\$0.0</b>	<b>\$14,082.0</b>	<b>\$41,548.0</b>	<b>\$55,630.0</b>
<b>GRAND TOTAL</b>	<b>\$2,323.0</b>	<b>\$234,657.3</b>	<b>\$330,209.3</b>	<b>\$567,189.6</b>

**APPENDIX B  
FISCAL YEAR 2008  
CAPITAL TRANSPORTATION PROGRAM  
PROJECT DEAUTHORIZATION LIST**

<b>Project Name</b>	<b>Project Phase</b>	<b>Finished Projects</b>
<b>Road System</b>		
Bridge 1-141 on FR 48 over Chestnut Run	PE	239,100.00
Bridge 1-641 on SR 896 over Amtrak, Structural		400,000.00
Bridge 1-678 on SR 141 Southbound over No.	C	74,000.00
Bridges 1-806, 1-807, and 1-808 on I-495 over US	C	3,753.00
Bridge 2-022A on SR 14 over Mullet Run		8,000.00
Bridge 2-050B on SR 8 over Tappahanna Ditch	C	33,500.00
Bridge 2-295A on K295 over Green Branch		20,000.00
Bridge 3-508S on US 113 Southbound over Betts	C	49,000.00
Bridges 708, 709, and 711	Encumbrance	297,043.00
Bridges 820, 821, 822	Encumbrance	584,649.00
Beach Area Improvements - Suburban Propane	RW	4,850,000.00
Blue Ball Properties - SR 141/US 202 Area Improvements	PRO	243,000.00
Blue Ball Area - Transit Support Vehicles - Mid County (24-504-03)	PRO	45,104.00
Blue Ball Area - Transit Trolley Buses, Newark Service (25-503-05)	PRO	4,413.00
Bread and Cheese Island	C	5,010,635.00
Camden Service Road		160,000.00
Churchman's Crossing Program	PE	1,500,000.00
Churchman's Crossing Program - S 273 Corridor Study (23-690-01)		20,000.00
DuPont Road, Lancaster Pike to NCC Police Station		150,000.00
Glenville Wetland Mitigation	RW	578,000.00
Limestone & Valley Road 91-101-02	PD	1,768,207.00
N282, Mill Creek Road and N276, McKenney Road	PE, RW, C	180,000.00
N407, McCoy Road, N409, Kirkwood St.	PD	85,000.00
New Castle County - Transit Operations Facility Expansion (22-502-01)	PE, RW, C	10,275.00
New Castle County - Transit Service Security Equipment (98-504-13)	PLAN	80,000.00
New Castle County - Northeast Corridor Capitalization (23-516-03)	MGT	49,500.00
New Castle County - Blackbird Forest Road Railroad Crossing (26-005-01)	PE, RW, C	25,000.00
New Castle County - Cherry Lane Railroad (99-690-06)	PE, RW, C	200,000.00
Rehoboth Avenue Improvements		309,000.00
S 86, Avenue of Honor Road, Rail Crossing	PE, RW, C	25,600.00
Southern New Castle County Improvements	ENCUMBRANCE	3,023,000.00
SR141 East Side Improvements (23-106-05)	RW	124,000.00
SR 26, Dagsboro Intersection	ENCUMBRANCE	17,000.00
SR 7/Churchman's Road		650,000.00
Sussex East/West Intersection Project Development (22-112-01)		1,150,497.00
US 13, Delmar Service Roads, Phase 2	PE	262,538.00
US 13 Odessa Transportation Plan Implementation (22-690-07)	PD	500,000.00
US 40, Maryland Line to US 13, Program (Newtown Rail 23-300-13)	PE	460,400.00
US301 MIS	PRO	737,800.00
<b>Transit System</b>		
New Castle County - Public Address System (21-512-01)	C	11,776.00
Transit Vehicle Replacement and Refurbishing	PRO	14,000.00
US301 Transit Vehicle Expansion (26-503-01)	PRO	15,600.00
<b>Support System</b>		
New Castle County - Churchman's Crossing Rail Station Parking (99-512-01)	PE, RW, C	844,539.00
Relocation Transit Center to Water St.	RW	800,552.00
Sussex County Projects	PLAN, C, PE	212,000.00
<b>TOTAL:</b>		<b>25,826,481.00</b>