



SPONSOR: Rep. Keeley & Sen. Venables  
Mulrooney Sokola  
Schooley Cook  
Viola McDowell  
Carey Simpson  
Oberle Sorenson

HOUSE OF REPRESENTATIVES  
145th GENERAL ASSEMBLY

HOUSE BILL NO. 500

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

- 1 Section 1.Fiscal Year 2011 Capital Improvements Project Schedule Addendum. The General Assembly hereby authorizes
- 2 the following projects in the following amounts for the purposes set forth in this Section and as described in the Fiscal
- 3 Year 2011 Governor's Recommended Capital Budget and Project Information document. Any authorization balance
- 4 (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30, 2013, shall be
- 5 subject to reversion or reauthorization.

SECTION 1 ADDENDUM  
FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION		TRANS. TRUST FUNDS REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION & REPROGRAMMING					
<b>OFFICE OF MANAGEMENT AND BUDGET</b>								
Minor Capital Improvement and Equipment	10-02-50	\$ 5,243,000	\$	-	\$	-	\$ 137,983	\$ 5,380,983
Environmental Compliance (UST/Asbestos/Other)	10-02-50	-		-		-	340,300	340,300
Architectural Barrier Removal	10-02-50	-		-		-	150,000	150,000
Kent County Court Complex	10-02-50	19,200,000		-		-	-	19,200,000
Delaware Health Information Network	10-02-50	-		-		-	1,151,617	1,151,617
Local Law Enforcement	10-02-50	-		-		-	585,000	585,000
<i>Judicial Projects</i>								
Minor Capital Improvement and Equipment/Security	10-02-50	-		-		-	500,000	500,000
<i>State Projects</i>								
Minor Capital Improvement and Equipment	10-02-50	-		-		-	750,000	750,000
Veterans Home Minor Capital Improvement and Equipment	10-02-50	-		-		-	50,000	50,000
<i>Health and Social Services Projects</i>								
Minor Capital Improvement and Equipment	10-02-50	-		-		-	3,400,000	3,400,000
DPC Roof Replacement	10-02-50	4,200,000		-		-	-	4,200,000
DASCES Replacement and Equipment	10-02-05	7,054,300		-		-	-	7,054,300
<i>Services for Children, Youth and Their Families Projects</i>								
Family and Children Tracking System (FACTS II)	10-02-50	-		-		-	3,679,600	3,679,600
Minor Capital Improvement and Equipment	10-02-50	-		-		-	1,266,800	1,266,800
<i>Correction Projects</i>								
Minor Capital Improvement and Equipment	10-02-50	266,500		-		-	2,900,000	3,166,500
HRYCI Masonry Restoration - Phase V	10-02-50	4,610,000		-		-	-	4,610,000
New Kitchen at HRYCI - Design	10-02-50	1,600,000		-		-	-	1,600,000
<i>Safety and Homeland Security Projects</i>								
Minor Capital Improvement and Equipment	10-02-50	-		-		-	600,000	600,000
<i>Fire Prevention Commission</i>								
Dover Structural Building	10-02-50	230,000		-		-	-	230,000
<i>Delaware National Guard Projects</i>								
Minor Capital Improvement and Equipment	10-02-50	500,000		-		-	600,000	1,100,000
Subtotal:		\$ 42,903,800	\$	-	\$	-	\$ 16,111,300	\$ 59,015,100

SECTION 1 ADDENDUM  
FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION		TRANS. TRUST FUNDS REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION & REPROGRAMMING					
<b>DELAWARE ECONOMIC DEVELOPMENT OFFICE</b>								
Strategic Fund	10-03-03	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,437,400	\$ 30,437,400
Experimental Program to Stimulate Competitive Research (EPSCOR)	10-03-03	-	-	-	-	-	1,000,000	1,000,000
Fraunhofer Vaccine Development	10-03-03	-	-	-	-	-	1,000,000	1,000,000
IDeA Network of Biomedical Research Excellence (INBRE)/U of D	10-03-03	-	-	-	-	-	1,000,000	1,000,000
Health Sciences Alliance	10-03-03	-	-	-	-	-	1,000,000	1,000,000
Diamond State Port Corporation	10-03-03	8,000,000	-	-	-	-	2,100,000	10,100,000
Riverfront Development Corporation	10-03-03	-	-	-	-	-	2,350,000	2,350,000
Subtotal:		\$ 8,000,000	\$ -	\$ -	\$ -	\$ -	\$ 38,887,400	\$ 46,887,400
<b>DELAWARE STATE HOUSING AUTHORITY</b>								
Housing Development Fund - Preservation	10-08-01	\$ 4,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500,000
Foreclosure Prevention	10-08-01	-	-	-	-	-	250,000	250,000
Subtotal:		\$ 4,500,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ 4,750,000
<b>STATE</b>								
Museum Maintenance	20-06-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000	\$ 350,000
Dover Public Library	20-08-01	2,500,000	784,357	-	-	-	-	3,284,357
Wilmington Public Library	20-08-01	500,000	-	-	-	-	-	500,000
Bear Public Library	20-08-01	500,000	-	-	-	-	-	500,000
Greenwood Public Library	20-08-01	250,000	-	-	-	-	-	250,000
New Castle Library	20-08-01	-	250,000	-	-	-	-	250,000
Claymont Branch Library	20-08-01	1,500,000	784,357	-	-	-	-	2,284,357
Subtotal:		\$ 5,250,000	\$ 1,818,714	\$ -	\$ -	\$ -	\$ 350,000	\$ 7,418,714
<b>HEALTH AND SOCIAL SERVICES</b>								
Maintenance and Restoration	35-01-30	\$ 2,550,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 2,750,000
Subtotal:		\$ 2,550,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 2,750,000
<b>SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES</b>								
Maintenance and Restoration	37-01-15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
<b>CORRECTION</b>								
Maintenance and Restoration	38-01-40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,135,400	\$ 3,135,400
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,135,400	\$ 3,135,400

SECTION 1 ADDENDUM  
FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION		TRANS. TRUST FUNDS REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION & REPROGRAMMING					
<b>NATURAL RESOURCES AND ENVIRONMENTAL CONTROL</b>								
Conservation Cost Share Program	40-03-04	\$ -	\$ -	\$ -	\$ -	\$ -	1,500,000	\$ 1,500,000
Buried Debris Pit Investigation/Remediation	40-03-04	-	-	-	-	-	100,000	100,000
Tax/Public Ditches	40-03-04	-	-	-	-	-	1,148,700	1,148,700
Beach Preservation	40-03-04	-	-	-	-	-	1,000,000	1,000,000
Minor Capital Improvement and Equipment	40-01-01	-	-	-	-	-	600,000	600,000
<b>Subtotal:</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>4,348,700</b>	<b>\$ 4,348,700</b>
<b>SAFETY AND HOMELAND SECURITY</b>								
Twin Engine Helicopter Lease/Payment	45-01-01	\$ -	\$ -	\$ -	\$ -	\$ -	2,195,900	\$ 2,195,900
<b>Subtotal:</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>2,195,900</b>	<b>\$ 2,195,900</b>
<b>TRANSPORTATION</b>								
Road System	55-05-00	\$ -	\$ -	\$ -	28,097,672	\$ 59,294,028	\$ 14,000,000	\$ 101,391,700
Grants and Allocations	55-05-00	-	-	-	-	15,475,000	-	\$ 15,475,000
Transit System	55-05-00	-	-	-	-	10,416,200	-	\$ 10,416,200
Support System	55-05-00	-	-	-	6,971,200	6,736,100	-	\$ 13,707,300
<b>Subtotal:</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>35,068,872</b>	<b>\$ 91,921,328</b>	<b>\$ 14,000,000</b>	<b>\$ 140,990,200</b>
<b>AGRICULTURE</b>								
Farmland Preservation	65-01-01	\$ -	\$ -	\$ -	\$ -	\$ -	2,950,000	\$ 2,950,000
<b>Subtotal:</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>2,950,000</b>	<b>\$ 2,950,000</b>
<b>FIRE PREVENTION COMMISSION</b>								
Hydraulic Rescue Tools Replacement	75-02-01	\$ -	\$ -	\$ -	\$ -	\$ -	52,500	\$ 52,500
<b>Subtotal:</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>52,500</b>	<b>\$ 52,500</b>
<b>NATIONAL GUARD</b>								
Sussex County Land Purchase	76-01-01	\$ 750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000
<b>Subtotal:</b>		<b>\$ 750,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 750,000</b>
<b>UNIVERSITY OF DELAWARE</b>								
Alison Hall Renovations	90-01-01	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
Chrysler Site	90-01-01	2,000,000	-	-	-	-	-	2,000,000
<b>Subtotal:</b>		<b>\$ 3,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,000,000</b>
<b>DELAWARE STATE UNIVERSITY</b>								
Minor Capital Improvement and Equipment	90-03-01	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000
<b>Subtotal:</b>		<b>\$ 3,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,000,000</b>

SECTION 1 ADDENDUM  
FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION		TRANS. TRUST FUNDS REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION & REPROGRAMMING					
<b>DELAWARE TECHNICAL AND COMMUNITY COLLEGE</b>								
Collegewide Asset Preservation Program/MCI	90-04-01	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Campus Improvements - Owens Campus	90-04-02	650,000	-	-	-	-	-	650,000
Campus Improvements - Terry Campus	90-04-06	650,000	-	-	-	-	-	650,000
Campus Improvements - Stanton/Wilm. Campus	90-04-05	1,300,000	-	-	-	-	-	1,300,000
Excellence Through Technology	90-04-01	200,000	-	-	-	-	-	200,000
Subtotal:		\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000
<b>EDUCATION</b>								
Minor Capital Improvement and Equipment	95-01-01	\$ -	\$ 2,071,000	\$ -	\$ -	\$ 5,222,800	\$ -	\$ 7,293,800
Architectural Barrier Removal	95-01-01	-	-	-	-	-	160,000	160,000
Brandywine, Construct Operations Center (60/40)	95-31-00	1,215,800	-	-	-	-	-	1,215,800
Colonial, Renovate Colwyck Elementary School (67/33)	95-34-00	3,014,300	-	-	-	-	-	3,014,300
Appoquinimink, Renovate Cedar Lane Elementary School (73/27)	95-29-00	200,000	-	-	-	-	-	200,000
Caesar Rodney, Renovate W.B. Simpson Elementary School (80/20)	95-10-00	15,206,300	-	-	-	-	-	15,206,300
Caesar Rodney, Renovate Allen Frear Elementary School (80/20)	95-10-00	12,309,800	-	-	-	-	-	12,309,800
Smyrna, Construct 600 Pupil Clayton Intermediate School (80/20)	95-24-00	14,373,300	-	-	-	-	-	14,373,300
Smyrna, Extraordinary Site Work Clayton IS (80/20)	95-24-00	-	969,017	-	-	-	-	969,017
Lake Forest, HS Performing Arts Addition and Renovation (80/20)	95-15-00	866,100	-	-	-	-	-	866,100
Lake Forest, Renovate W.T. Chipman Middle School (80/20)	95-15-00	180,300	-	-	-	-	-	180,300
Milford, Construct 720 Pupil Elementary School (77/23)	95-18-00	1,674,300	-	-	-	-	-	1,674,300
Milford, Land Acquisition and Extraordinary Site Work for 720 Pupil Elementary School (77/23)	95-18-00	919,400	-	-	-	-	-	919,400
Milford, Renovate E.I. Morris Early Childhood Center (77/23)	95-18-00	343,500	-	-	-	-	-	343,500
Milford, Renovate Milford High School and Site Upgrades (77/23)	95-18-00	949,800	-	-	-	-	-	949,800
Sussex Technical School, Renovate Instruction Area (60/40)	95-40-00	769,200	-	-	-	-	-	769,200
Appoquinimink, Land Acquisition for 840 Pupil Elementary School - Odessa Campus (75/25)	95-29-00	6,221,200	-	-	-	-	-	6,221,200
Appoquinimink, Construct 840 Pupil Elementary School - Odessa Campus (75/25)	95-29-00	13,827,200	-	-	-	-	-	13,827,200
Appoquinimink, Land Acquisition for Early Childhood Center - Odessa Campus (75/25)	95-29-00	1,653,800	-	-	-	-	-	1,653,800
Appoquinimink, Construct Early Childhood Center - Odessa Campus (75/25)	95-29-00	6,595,200	-	-	-	-	-	6,595,200
Appoquinimink, Renovate Meredith Elementary School (75/25)	95-29-00	592,600	-	-	-	-	-	592,600
Seaford, Construct Orthopedically Handicapped Wing at Central Elementary School (100% State)	95-23-00	2,299,500	-	-	-	-	-	2,299,500
Sussex Technical, Renovations to High School and Campus Site (60/40)	95-40-00	286,900	-	-	-	-	-	286,900
Polytech, Renovate High School, ADA and Sewer Connection (79/21)	95-39-00	642,600	-	-	-	-	-	642,600

SECTION 1 ADDENDUM  
FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REVERSION		TRANS. TRUST FUNDS REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
			REAUTHORIZATION & REPROGRAMMING					
New Castle County Votech, Renovate Howard High School - Roof/Windows (61/39)	95-38-00	457,500	-		-	-	-	457,500
Capital, Construct New 1800 Student HS (70/30)	95-13-00	4,643,400	-		-	-	-	4,643,400
Capital, 1800 Student HS Extraordinary Site Costs (70/30)	95-13-00	2,310,000	-		-	-	-	2,310,000
Capital Land Acquisition, Improve Entrance to Wm. Henry MS Campus (70/30)	95-13-00	1,120,000	-		-	-	-	1,120,000
Seaford, Renovate Douglas ES, Roof Replacement (73/27)	95-23-00	790,400	-		-	-	-	790,400
Seaford, Renovate MS, ADA Accessibility Improvements and Roof Replacement (73/27)	95-23-00	483,800	-		-	-	-	483,800
Subtotal:		\$ 93,946,200	\$ 3,040,017		\$ -	\$ -	\$ 5,382,800	\$ 102,369,017
<b>TWENTY-FIRST CENTURY FUND</b>								
Drinking Water State Revolving Fund (DHSS)	25-01-01	\$ -	\$ -		\$ -	\$ -	\$ 2,936,000	\$ 2,936,000
Subtotal:		\$ -	\$ -		\$ -	\$ -	\$ 2,936,000	\$ 2,936,000
<b>GRAND TOTAL:</b>		\$ 166,900,000	\$ 4,858,731		\$ 35,068,872	\$ 91,921,328	\$ 91,000,000	\$ 389,748,931

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 \$166,900,000 and in the amount of  
4 \$60,519,341 local share of school bonds. Bonds authorized to be used by this Section shall mature not later  
5 than 20 years from their date of issuance. The proceeds of such bonds, except for local share of school  
6 bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act  
7 and summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
9 Office of Management and Budget	\$42,903,800
10 Delaware Economic Development Office	8,000,000
11 Delaware State Housing Authority	4,500,000
12 Department of State	5,250,000
13 Health and Social Services	2,550,000
14 National Guard	750,000
15 University of Delaware	3,000,000
16 Delaware State University	3,000,000
17 Delaware Technical and Community College	3,000,000
18 Department of Education	93,946,200

<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
21 Brandywine, Replace Brandywood ES (Local Only)		\$4,267,700	4,267,700
22 Brandywine, Construct Operations Center (60/40)	1,215,800	810,500	2,026,300
23 Colonial, Renovate Colwyck ES (67/33)	3,014,300	1,484,700	4,499,000
24 Appoquinimink, Renovate Cedar Lane ES (73/27)	200,000	73,966	273,966
25 Caesar Rodney, Renovate W.B. Simpson ES (80/20)	15,206,300	3,801,600	19,007,900
26 Caesar Rodney, Renovate Allen Frear ES (80/20)	12,309,800	3,077,400	15,387,200

1	Smyrna, Construct 600 Pupil Clayton IS (80/20)	14,373,300	3,593,275	17,966,575
2	Lake Forest, HS Performing Arts Addition and			
3	Renovation (80/20)	866,100	216,500	1,082,600
4	Lake Forest, Renovate W.T. Chipman MS (80/20)	180,300	45,100	225,400
5	Milford, Construct 720 Pupil ES (77/23)	1,674,300	500,200	2,174,500
6	Milford, Land Acquisition and Extraordinary			
7	Site Work for 720 Pupil ES (77/23)	919,400	274,600	1,194,000
8	Milford, Renovate E.I. Morris ECC (77/23)	343,500	102,600	446,100
9	Milford, Renovate Milford HS and Site			
10	Upgrades (77/23)	949,800	283,800	1,233,600
11	Sussex Tech, Renovate Environmental			
12	Instruction Area (60/40)	769,200	512,800	1,282,000
13	Appoquinimink, Land Acquisition for			
14	840 Pupil ES – Odessa Campus (75/25)	6,221,200	2,073,800	8,295,000
15	Appoquinimink, Construct 840 Pupil ES -			
16	Odessa Campus (75/25)	13,827,200	4,609,000	18,436,200
17	Appoquinimink, Land Acquisition for			
18	ECC - Odessa Campus (75/25)	1,653,800	551,200	2,205,000
19	Appoquinimink, Construct ECC -			
20	Odessa Campus (75/25)	6,595,200	2,198,400	8,793,600
21	Appoquinimink, Renovate Meredith MS (75/25)	592,600	197,500	790,100
22	Seaford, Construct Orthopedically Handicapped			
23	Wing at Central ES (100% State)	2,299,500		2,299,500
24	Sussex Tech, Renovations to HS and Campus Site			
25	(60/40)	286,900	191,300	478,200
26	Polytech, Renovate HS, ADA and			
27	Sewer Connection (79/21)	642,600	170,800	813,400
28	New Castle County Vo-Tech, Renovate Howard HS			
29	Roof/Windows (61/39)	457,500	292,500	750,000
30	Capital, Maintenance (Local Only)		3,858,900	3,858,900
31	Capital, Professional Center (Local Only)		8,400,000	8,400,000



1	Capital, Construct New 1800 Student HS (Local Only)		15,000,000	15,000,000
2	Capital, Construct New 1800 Student HS (70/30)	4,643,400	1,990,000	6,633,400
3	Capital, 1800 Student HS Extraordinary Site Costs			
4	(70/30)	2,310,000	990,000	3,300,000
5	Capital, Land Acquisition, Improve Entrance to Wm.			
6	Henry MS Campus (70/30)	1,120,000	480,000	1,600,000
7	Seaford, Renovate Douglas ES Roof Replacement			
8	(73/27)	790,400	292,300	1,082,700
9	Seaford, Renovate MS, ADA Accessibility Improvements			
10	and Roof Replacement (73/27)	483,800	178,900	662,700
11	Subtotal	\$93,946,200	\$60,519,341	\$154,465,541
12			<b>TOTAL</b>	<b><u>\$166,900,000</u></b>

13       Section 3. Appropriation of General Funds. It is the intent of the General Assembly that  
14 \$91,000,000 be appropriated to the following departments of the State and in the following amount for the  
15 purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or  
16 unencumbered by June 30, 2011, shall revert to the General Fund of the State of Delaware. The state  
17 hereby authorizes the issuance of bonds, to which the state shall pledge its full faith and credit, such bonds  
18 to be issued in such principal amount as necessary to provide proceeds to the State in the amount of  
19 \$3,481,866 local share of school bonds. Bonds authorized to be used by this Section shall mature not later  
20 than 20 years from their date of issuance.

21	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
22	Office of Management and Budget	\$16,111,300
23	Delaware Economic Development Office	38,887,400
24	Delaware State Housing Authority	250,000
25	Department of State	350,000
26	Department of Health and Social Services	3,136,000
27	Department of Services for Children, Youth and Their Families	200,000
28	Department of Correction	3,135,400

1	Department of Natural Resources and Environmental Control	4,348,700
2	Department of Safety and Homeland Security	2,195,900
3	Department of Transportation	14,000,000
4	Department of Agriculture	2,950,000
5	Fire Prevention Commission	52,500
6	Department of Education	5,382,800

7		Maximum	
8	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>
9	Minor Capital Improvements	\$5,222,800	\$3,481,866
10	and Equipment		\$8,704,666
11		<b>TOTAL</b>	<b><u>\$91,000,000</u></b>

12        Section 4. General Funds to 21<sup>st</sup> Century Funds. It is the intent of the General Assembly that  
13 \$2,936,000 be appropriated from General Funds to the Office of the Secretary, Department of Finance (25-  
14 01-01) to be deposited into the Twenty-First Century Fund as established by 29 Del. C. §6102A. These  
15 funds shall be appropriated for the following purpose set forth in the Section 1 Addendum to this Act:

16	<u>Purpose</u>	<u>Amount</u>
17	Drinking Water State Revolving Fund (DHSS)	\$ 2,936,000
18		<b>TOTAL</b>
		<b><u>\$ 2,936,000</u></b>

19        Section 5. Transfers to the State Treasurer’s Bond Reversion Account.

20		Project	
21	<u>Project</u>	<u>Appropriation Code</u>	<u>Amount</u>
22	Sussex Courthouse	2003-10-02-50-7310	\$2,663.01
23	Runway Extension	2006-10-03-03-7601	\$500,000.00
24	1 <sup>st</sup> State Funds	1986-12-05-03-9600	\$1,217.00
25	Hockessin Library	2007-20-08-01-7715	\$89,462.41
26	South Coastal Library	2008-20-08-01-7820	\$869,550.58
27	Seaford Library	2009-20-08-01-7912	\$859,702.99



1	Concord HS Renovation	2004-95-31-00-7410	\$16.30
2	Forward ES Renovation	2004-95-31-00-7411	\$788.41
3	Talley MS Renovation	2005-95-31-00-7516	\$0.02
4	New 640 Pupil ES	2004-95-32-00-7433	\$0.60
5	Stanton MS	2005-95-32-00-7519	\$0.01
6	Renovate Lewes MS	2005-95-32-00-7529	\$0.46
7	Renovate Wilmington Campus	2006-95-32-00-7626	\$0.46
8	Renovate Brandywine	2006-95-32-00-7630	\$0.36
9	840 E.S.A	2003-95-33-00-7316	\$250.00
10	Bancroft ES	2004-95-33-00-7420	\$0.89
11	Portables	2004-95-33-00-7423	\$15.00
12	Gallaher ES	2005-95-33-00-7517	\$1.00
13	Elis Maclar	2005-95-33-00-7528	\$730.30
14	John Downs	2005-95-33-00-7530	\$1.30
15	New ES	2005-95-33-00-7531	\$18.24
16	Renovate Down ES	2006-95-33-00-7630	\$0.69
17	Wm. Penn	2003-95-34-00-7315	\$5,911.20
18	McCullough MS	2007-95-34-00-7722	\$3,456.47
19	Construct 18 Classroom	2006-95-39-00-7601	\$23,366.50
20		<b>TOTAL</b>	<b><u>\$78,872.31</u></b>

21 Section 8. Transfers from the State Treasurer’s School Bond Reversion Account.

22 Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds become  
23 available, the sum of \$398,177.81 from the State Treasurer’s School Bond Reversion Account (94-12-05-  
24 03-8102) to the following department in the following amount for the purpose set forth in the Section 1  
25 Addendum to this Act:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Education	
(Appoquinimink School District Debt Service)	\$6,098.12
(Brandywine School District Debt Service)	\$804.71
(Smyrna, Extraordinary Site Work, Clayton Intermediate School – 80/20)	\$383,000.00
(Christina School District Debt Service)	\$392.12
(Colonial School District Debt Service)	\$3,209.56
(Polytech School District Debt Service)	\$4,673.30
<b>TOTAL</b>	<b><u>\$398,177.81</u></b>

Section 9. General Fund/Special Fund Reprogramming. (a) Notwithstanding the provisions of any other State law, the State Treasurer hereby deauthorizes the remaining appropriation balances, not in excess of the balances below from the following General Fund/Special Fund projects and reauthorizes the funds to the departments listed in subsection.

<u>Department, Agency, or Instrumentality</u>	<u>Appropriation Code</u>	<u>Amount</u>
Office of Management and Budget		
Vehicle Equipment	2007-10-02-05-0823	\$62,374.00
Inmate Medical	2008-10-02-50-0807	\$7,591.56
Delaware Economic Development Office		
Runway Ext.	2009-10-03-03-8131	\$169,879.59
Other Elective		
Permanent School Fund	2010-12-05-03-8001	\$259,000.00
REAP	2010-12-05-03-8100	\$300.81
Sale 196	2010-12-05-03-8513	\$86.05
Sale 197 & 198	2010-12-05-03-8514	\$3,111.74
Sale 200	2007-12-05-03-8515	\$21,333.16
Sale 201 & 202	2008-12-05-03-8516	\$926,914.91
Sale 203, 204 & 205	2009-12-05-03-8517	\$171,218.75
Registered	2010-12-05-03-8590	\$88,820.43
Sale 177	2010-12-05-03-8597	\$93.85
Sale 178	2010-12-05-03-8598	\$77.68
Capital Invoice Acct.	2010-12-05-03-8700	\$1,022.00
HFSF	2010-12-05-03-9400	\$6,318.44
Department of State		
S.C. Vets Cemetary	2008-20-01-04-0801	\$85,617.31
Children, Youth and Their Families		

1	CI Wh Off Re	2004-37-01-25-0822	\$3,341.68
2	Department of Correction		
3	Women Treat	2005-38-06-06-0801	\$562.49
4	Department of Natural Resources and Environmental Control		
5	C&D Int	2007-40-06-02-0823	\$51,157.30
6	Department of Safety and Homeland Security		
7	Twin Engine Helicopter	2008-45-01-01-0811	\$17.43
8	Department of Education		
9	Market Pressure	2005-95-02-02-0877	\$81,180.00
10	Charl Techr	2006-95-11-00-0874	\$1,083.38
11	Lancaster ES	2009-95-31-00-0886	\$0.33
12	Dickinson Field	2005-95-32-00-0832	\$100,000.00
13	MCI	2005-95-33-00-0872	\$3,569.80
14	MCI	2006-95-33-00-0872	\$0.75
15	MCI	2007-95-33-00-0872	\$13,622.31
16	MCI/VE	2006-95-33-00-0873	\$5,256.04
17	MCI/VE	2007-95-33-00-0873	\$7,768.00
18		<b>TOTAL</b>	<b><u>\$2,071,319.79</u></b>

19	(b) <u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
20	Department of Education	
21	(Minor Capital Improvements)	\$2,071,000.00
22		<b>TOTAL</b>
		<b><u>\$2,071,000.00</u></b>

23 Section 10. Continuing Appropriations. For the fiscal year ending June 30, 2010, any sums in the  
24 following accounts shall remain as continuing appropriations and shall not be subject to a reversion until  
25 June 30, 2011.

26	<u>Fiscal Year</u>	<u>Account Codes</u>	<u>Remarks</u>
27	<u>Appropriation</u>		
28	2006	01-08-02-0879	Bio Tech
29	2006	01-08-02-0891	Leg Hall Improvements
30	2004/06	10-02-05-0814	Technology Fund
31	2008	10-02-05-7805	800 MHZ
32	2007	10-02-06-7700	Advanced Planning
33	2008	10-02-50-0805	Jud MCI
34	2006	10-02-50-0819	MCI Correct
35	2008	10-02-50-0819	DOC MCI
36	2006	10-02-50-0821	Darley House

1	2006	10-02-50-0909	NC Arsenal
2	2008	10-02-50-0909	NC Academy
3	2003	10-02-50-7312	MCI Corr
4	2005	10-02-50-7511	Kent County Courthouse
5	2006	10-02-50-7605	Capital Parking
6	2006	10-02-50-7607	Howard R. Young Center
7	2007	10-02-50-7706	Stockley Medical Center
8	1999	10-03-03-0805	Dover Civic Center
9	2005	10-03-03-0805	Delaware Civic Center
10	2001	10-03-03-0821	High Tech Business Incubator
11	2002	10-03-03-7212	DSU High Tech Incubator
12	2003	10-03-03-7311	DSU High Tech Incubator
13	2006	10-03-03-7601	Runway Ext
14	2006	10-03-03-7602	Dover Civic Center
15	2006	10-03-03-7611	High Technology Incubator
16	2007	10-03-03-7702	Dover Civic Center
17	2008	10-03-03-7802	De Civic Center
18	2008	11-03-05-0814	Tech Fund
19	2002	12-05-03-0888	GF Cap Reprogramming
20	1994	12-05-03-8101	Agency Reversions
21	1994	12-05-03-8102	School Reversions
22	1996	20-08-01-6616	North Wilmington Library
23	2002	20-08-01-7219	Harrington Library
24	2007	20-08-01-7721	Dover Library
25	2007	20-08-01-7723	NCC South
26	2007	20-08-01-7724	NCC Bear
27	2008	20-08-01-7820	South Coastal Library
28	2007	25-01-01-0819	ERP
29	2008	25-01-01-7802	ERP
30	2008	35-01-10-0820	DHIN
31	2008	35-01-30-0802	Maintenance and Restoration
32	2005	35-05-20-0810	Fluoridation
33	2007	35-10-01-0801	DASCES IV
34	2008	38-01-40-0800	Maintenance and Restoration
35	2007	40-01-01-0804	Avian Flu
36	2006	40-01-01-0879	Energy Efficiency
37	2004/05	40-05-02-0803	Dams/Water Control
38	2007	40-06-02-0804	Park Rehabilitation
39	2008	40-06-02-0805	Park Rehabilitation
40	2006	40-06-02-7613	State Park Facilities
41	2006	40-07-02-0806	Little Mill
42	2008	40-07-02-0807	Retention Ponds
43	2008	40-07-02-0811	Dam Plan
44	2003	40-07-02-7312	Resource, Conservation & Dev
45	2007	40-07-03-0807	Lewes Facility
46	2008	40-07-03-7810	Beach Preservation
47	2004/05/08	40-08-01-0802	Wilmington Sewer
48	2006/07	40-08-07-0801	Red Clay Study
49	2008	55-05-00-8301	FSF
50	2008	90-04-01-0801	Excellence Thru Technology
51	2008	90-04-01-0803	Asset Preservation
52	2008	90-04-02-0803	Owens Improvements
53	2008	90-04-04-0810	Wilmington Renovations
54	2006	90-04-04-7611	Stanton Campus Expansion

1	2007	90-04-05-7710	Stanton Campus Expansion
2	2008	90-04-05-7810	Stanton Campus Expansion
3	2008	95-10-00-7802	Renovate Brown ES
4	2008	95-13-00-7802	Land HS
5	2008	95-15-00-7817	Renovate W.T. Chipman MS
6	2008	95-15-00-7818	Renovate South ES
7	2008	95-15-00-7820	Renovate Lake Forest HS
8	2008	95-17-00-7810	1600 Pupil HS
9	2008	95-17-00-7811	Renovate Brittingham ES
10	2008	95-17-00-7812	Renovate Shields ES
11	2008	95-17-00-7814	Renovate Milton ES
12	2008	95-17-00-7815	Rehoboth ES
13	2008	95-17-00-7816	Lewes Academy
14	2008	95-18-00-7801	Land & Site Costs for New ES
15	2008	95-18-00-7802	Construct MS
16	2008	95-18-00-7803	Land MS
17	2008	95-18-00-7804	Morris ECC
18	2008	95-18-00-7805	Renovate Milford HS
19	2008	95-24-00-0872	MCI
20	2007	95-24-00-7712	600 Pupil ES
21	2008	95-24-00-7817	Renovate Smyrna HS
22	2008	95-24-00-7818	Clayton IS
23	2007	95-29-00-7719	Construct 1000 Pupil MS
24	2008	95-29-00-7824	Construct ECC
25	2008	95-29-00-7825	Construct MOT
26	2008	95-29-00-7826	Syn Turf At
27	2005	95-31-00-0884	Market Pressure 600 Pupil ES
28	2007	95-31-00-0892	Market Pressure Matching Fund
29	2006	95-31-00-7636	Market Pressure Construct ES
30	2006	95-31-00-7637	Market Pressure Construct ES
31	2007	95-31-00-7718	Construct 600 Pupil ES
32	2007	95-31-00-7719	Renovate Springer MS
33	2007	95-31-00-7720	Renovate District Offices
34	2008	95-31-00-7817	Renovate DuPont HS
35	2008	95-31-00-7818	600 Pupil ES
36	2008	95-31-00-7819	Renovate Springer MS
37	2008	95-31-00-7821	Renovate Hanby MS
38	2007	95-32-00-0800	Renovate Wilmington Campus
39	2008	95-32-00-0872	MCI
40	2006	95-32-00-7619	Renovate Stanton MS
41	2007	95-32-00-7726	Renovate Wilmington Campus
42	2008	95-32-00-7810	Renovate Wilmington Campus
43	2008	95-32-00-8801	Renovate Wilmington Campus
44	2005	95-33-00-7520	Bancroft IS
45	2005	95-33-00-7525	Christiana HS
46	2005	95-33-00-7527	Drew Pyle
47	2006	95-33-00-7532	New MS
48	2005	95-33-00-7533	Kirk MS
49	2006	95-33-00-7616	840 Pupil ES
50	2006	95-33-00-7621	800 Pupil MS
51	2006	95-33-00-7625	Christiana HS
52	2006	95-33-00-7628	Maclary ES
53	2006	95-33-00-7629	Wilson ES
54	2008	95-33-00-7810	Bayard ES



1	2008	95-33-00-7811	Porter Road
2	2007	95-34-00-7721	New Castle MS
3	2008	95-34-00-7815	Renovate William Penn HS
4	2008	95-34-00-7817	Wilmington Manor ES
5	2008	95-34-00-7818	George Reed MS
6	2008	95-34-00-7822	McCullough ES
7	2003	95-36-00-7312	Frankford ES
8	2004	95-36-00-7419	Indian River HS
9	2005	95-36-00-7512	Renovate Frankford ES
10	2006	95-36-00-7612	Frankford ES
11	2006	95-36-00-7619	Indian River HS
12	2007	95-36-00-7726	Georgetown ES
13	2007	95-36-00-7727	Selbyville MS
14	2007	95-36-00-7728	Long Neck ES
15	2007	95-37-00-7712	Cafeteria Expansion
16	2007	95-37-00-7713	Classroom Addition
17	2008	95-39-00-7802	Renovation HS
18	2006	95-51-00-7610	Replace Sterck
19	2007	95-51-00-7710	Replace Sterck
20	2008	95-51-00-7810	Replace Sterck

21           Section 11. Abandoned Property. For the fiscal year ending June 30, 2011, 29 Del. C. §6102(s)  
22 shall be waived.

23           Section 12. Open Space Funding. Notwithstanding the provisions of 30 Del. C. c. 54, §5423  
24 (b)(2) and §5423 (c)(1), on or before December 15 of Fiscal Year 2011, the State shall transfer \$3,000,000  
25 of realty transfer taxes to the Project Account in the Delaware Land and Water Conservation Trust Fund.

26           Section 13. Farmland Preservation Funding. Notwithstanding the provisions of 30 Del. C. c. 54  
27 §5426, for the fiscal year ending June 30, 2011, the State shall transfer \$3,000,000 of realty transfer taxes  
28 to the Farmland Preservation Fund maintained under 3 Del. C. c. 3.

29           Section 14. Resource, Conservation and Development Transfers - Project Funds Transfer from  
30 Prior Fiscal Years to Fiscal Year 2011. Within the same county, any Twenty-First Century funds or match  
31 remaining from completed projects as authorized as part of the Twenty-First Century Resource,  
32 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for  
33 RCD projects in the Fiscal Year 2011 list of projects approved as part of the Fiscal Year 2011 Bond and  
34 Capital Improvements Act.

35           Section 15. Conservation Districts - Federal Acquisition Regulations. Conservation Districts shall  
36 not be required to follow the provisions of the Federal Acquisition Regulations unless specifically required

1 under a contract(s) with a federal agency or federal grant. If the Conservation Districts are required to  
2 follow subpart 31.2 of the Federal Acquisition Regulations, then the Conservation District(s) are hereby  
3 authorized to charge an additional ten percent to their overhead cost rate to enable the Conservation  
4 District(s) to continue to fulfill their statutory duties and responsibilities.

5 Section 16. Conservation Districts - Rollover of Funds. If projects are discontinued and have  
6 Twenty-First Century funding associated with them, the associated Twenty-First Century funding would  
7 remain within the County from which the project originated and would roll over as new Fiscal Year 2011  
8 funds for allocation among the remaining projects within that County.

9 Section 17. First State Preservation Revolving Fund, Inc. For Fiscal Year 2011, 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 18. 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 19. 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 redevelopment projects within the Town of Laurel.

20 Section 20. Community Redevelopment Fund Match. Notwithstanding the provisions of 29 Del.  
21 C. §6102(A), any unexpended Community Redevelopment Funds awarded to the Hockessin Community  
22 Center in fiscal years 2004 and 2005 shall not require a local match.

23 Section 21. Bond Bill Reporting Requirements. All state agencies and public school districts  
24 receiving funds from the Bond and Capital Improvements Act shall submit a quarterly expenditure status  
25 report to the Director of the Office of Management and Budget and Controller General on all incomplete  
26 projects that are wholly or partially funded with state and/or local funds, including bond funds. The format

1 and information required in these quarterly reports shall include, but not be limited to, expenditures of both  
2 bond and cash funds. The report format will be developed by the Office of Management and Budget and  
3 include information as needed by the Department of Finance, Treasurer’s Office and Office of Management  
4 and Budget to anticipate cash and bond requirements for the upcoming fiscal year.

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

10 Section 23. Bear Babe Ruth. Notwithstanding any provision or requirement of the public trust  
11 doctrine or 10 Del. C. c. 82, and without the necessity of compliance therewith, New Castle County is  
12 hereby authorized to transfer to Bear Babe Ruth all rights, title and interest in that certain tract, piece, parcel  
13 or parcels of land known as Lot 3, Wrangle Hill Elementary School, containing 68.008 acres, more or less,  
14 and having Tax Parcel No. 12-013.00-081, as were conveyed to New Castle County by deed of Premcor  
15 Refining Group Inc. (“Premcor”) dated March 12, 2007, or by any subsequent deed or consent executed by  
16 a successor or assign of Premcor, subject to the condition that such property be used by Bear Babe Ruth for  
17 the sole purpose of establishing operating and maintaining thereon a public park for open space, park or  
18 outdoor recreational uses.

1 **OFFICE OF MANAGEMENT AND BUDGET**

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

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

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

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

1 (d) No project's budget should be increased beyond what is appropriated in any Bond and Capital  
2 Improvements Act, either with special funds or private funds, unless the use of those funds is approved by  
3 the appropriate cabinet secretary, the Director of the Office of Management and Budget, the Controller  
4 General and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program.

5 Section 25. Construction Manager at Risk. It is the intent of the General Assembly that public  
6 works projects, including public school projects, shall utilize the Construction Manager at Risk project  
7 delivery methodology in all instances when a contracted Construction Manager is used.

8 Section 26. Judicial Construction Oversight. It is the intent of the General Assembly that a nine-  
9 member Executive Committee be created to oversee construction of new or major renovation of judicial  
10 facilities. The Executive Committee shall include two members of the Legislature appointed by the Co-  
11 Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs of  
12 the House and Senate Judiciary Committees; two members of the Judiciary as appointed by the Chief  
13 Justice; and three members of the Executive Department to include the Director of Facilities Management,  
14 the Director of the Office of Management and Budget and their designee. The Executive Committee shall  
15 work in conformation with existing construction oversight guidelines as written in Section 17 of this Act.  
16 The Executive Committee is hereby empowered to:

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

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

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

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

25 This section shall apply to the following projects: Kent County Courthouse/O'Brien Building;  
26 Sussex County Family Court; Kent County Family Court and any Judicial construction or renovation

1 project requested by either the Judicial Branch or recommended by the Office of Management and Budget  
2 for the Judicial Branch where the total project cost estimate exceeds \$10,000,000.

3 Section 27. Minor Capital Improvement and Equipment Supplement - Office of Management and  
4 Budget. Notwithstanding the provisions of any other State law to the contrary, not more than \$250,000 may  
5 be expended to enter into contractual agreements for project representatives and associated administrative  
6 support to ensure adequate oversight of State construction projects. The Director of the Office of  
7 Management and Budget is directed to provide an itemized budget for this amount to the Controller General  
8 by August 1, of each fiscal year, and expenditure reports to the Controller General by December 1 and June  
9 1 of each fiscal year.

10 Section 28. New Castle County Courthouse. Notwithstanding any law or local government  
11 ordinance, resolution, or any deed restrictions to the contrary, the Director of the Office of Management and  
12 Budget shall designate the name of any state-owned or state-operated courthouse or other judicial building  
13 or facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an  
14 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of  
15 any statues or memorials in or on the grounds of such courthouse or judicial building or facility.

16 Section 29. Belvedere State Service Center Project. Notwithstanding any State laws to the  
17 contrary, funds received from tenants in the Belvedere State Service Center shall be used by the Office of  
18 Management and Budget for the maintenance and operation of the center.

19 Section 30. Kent County Courthouse Construction. It is the intent of the General Assembly that  
20 the Office of Management and Budget shall have the authority to develop and implement procedures and a  
21 methodology to engage a Construction Manager at Risk for all phases of the Kent County Courthouse  
22 Project including the construction of any required parking facilities. To enable the engagement of a  
23 Construction Manager at Risk, all provisions of 29 Del. C. c. 69 are hereby waived with the exception of  
24 §6960 related to prevailing wage.

1           Section 31. Kent County Courthouse Appropriation. The Section 1 Addendum to this Act contains  
2 an appropriation of \$19,200,000. Of this amount, \$5,000,000 shall be used solely for the renovation of the  
3 existing Kent County Courthouse.

4           Section 32. Sale of Surplus Property. Notwithstanding the provisions of any law to the contrary,  
5 the Director of the Office of Management and Budget is authorized to solicit buyers, lessors or developers  
6 and negotiate the sale, long or short-term lease, development or adaptation of the state-owned building and  
7 parking lot, commonly known as the Bank of America Building and State Employee Workforce Education  
8 and Training Center, located on the block bounded by French, 9th, 10th and Walnut Streets in Wilmington.  
9 Net proceeds resulting from a sale, lease, development or reuse of the building and/or parking lot shall be  
10 deposited to the General Fund. The Director of the Office of Management and Budget must receive  
11 approval from the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program prior  
12 to executing an agreement of sale, lease, development or use of the building or parking lot for other than  
13 state agencies. The Director of the Office of Management and Budget is authorized to solicit buyers,  
14 lessors, developers and others who may enable the sale, development, lease, or reuse of the property  
15 directly, use public advertisement, auction, reverse auction, sealed bids, or issue requests for information  
16 and requests for proposals. During Fiscal Year 2011, the Director of the Office of Management and Budget  
17 may identify additional state-owned real property that, with the concurrence of the Co-Chairs of the Joint  
18 Legislative Committee on the Capital Improvement Program and the Controller General, may be sold,  
19 leased or developed pursuant to the provisions of this section.

20           Section 33. Capital Parking. It is the intent of the General Assembly that the Office of  
21 Management and Budget may use funds previously appropriated for Capital Parking/Security in the Section  
22 1 Addendum to 75 Del. Laws, c. 98 for the construction of the Kent County Courthouse and for the  
23 development and construction of parking required by the City of Dover to obtain a Certificate of Occupancy  
24 for the expanded Kent County Courthouse. The Office of Management and Budget may expand the scope  
25 of the contract for the construction of the Kent County Courthouse to include all required parking and may  
26 use design/build project delivery methodology to expedite completion of a parking structure, garage or

1 other means to provide the required number of new parking spaces. The Office of Management and Budget  
2 shall evaluate all state-owned sites in and around the Capital Complex for the development of Courthouse-  
3 related parking, and may also enter into an agreement with the City of Dover to construct the required  
4 parking on city-owned land if that option is found to be advantageous to both the city and state, or may  
5 purchase property, if necessary. All provisions of 29 Del. C. c. 69 are hereby waived, with the exception of  
6 §6960 related to prevailing wage rates, for construction of parking associated with the Kent County  
7 Courthouse project.

8 Section 34. Card Access Security Systems. Notwithstanding the provisions of any law to the  
9 contrary, the Office of Management and Budget, Department of Safety and Homeland Security, and the  
10 Department of Technology and Information shall jointly develop and maintain specifications and standards  
11 for card access security systems for all state facilities. Security system communications using state  
12 infrastructure will observe enterprise standards and policies as defined by Department of Technology and  
13 Information pursuant to 29 Del. C. c. 90C. The specifications and standards shall enable a single-card  
14 security solution for all state-owned facilities, require the ability for concurrent central and local  
15 administration of card access functions, and shall include a registry of approved card readers and associated  
16 hardware required to implement card access security systems. It is the intent of this section to authorize  
17 Office of Management and Budget, Department of Safety and Homeland Security and Department of  
18 Technology and Information to jointly select a single supplier, manufacturer or technology of access cards  
19 and security management software for use by all state agencies. The Office of Management and Budget,  
20 Department of Safety and Homeland Security and Department of Technology and Information shall  
21 develop procedures and standards required for the evaluation and approval of agency requests for new or  
22 modified security systems of any type. Before a state agency may install a new security system or modify  
23 an existing system, the agency shall obtain the approval of the Office of Management and Budget,  
24 Department of Safety and Homeland Security and Department of Technology and Information.

25 Section 35. Delaware Health Information Network. The Section 1 Addendum to this Act  
26 appropriates \$1,151,617 for the Delaware Health Information Network (DHIN), a joint initiative between



1 private, federal and state funds. The \$1,151,617 shall be utilized to support the development of an  
2 interoperable network to exchange clinical information among all healthcare providers across the state to  
3 improve patient outcomes and patient-provider relationships. The system shall be designed to allow patient  
4 clinical information to be shared across all healthcare facilities and organizations and across public and  
5 private sectors. The DHIN, shall provide the following to the Director of the Office of Management and  
6 Budget and the Controller General:

- 7 (a) A budget that outlines the expenditure for the \$1,000,000 of the state appropriation including a  
8 breakdown of categories (personnel/contractual services/supplies, etc.); and
- 9 (b) A total project budget over multiple years that includes funding allocations detailing federal,  
10 private and state requested amounts.

11 Expenditures of the remaining \$151,617 of state funds shall be used only for the purpose of  
12 matching the American Recovery and Reinvestment Act (ARRA) Health Information Exchange(HIE) grant  
13 funds, and shall be authorized by the Director of the Office of Management and Budget. Remaining funds  
14 of this amount may not be applied towards any purpose other than ARRA HIE grant matching. Working  
15 with state agencies, DHIN shall work to identify match requirements for the ARRA HIE grant for Fiscal  
16 Year 2012, Fiscal Year 2013 and Fiscal Year 2014 from non-federal in-kind sources, and not limited to  
17 non-federal cash contributions.

18 Section 36. First State Financial Conversion. Notwithstanding the provisions of any State law,  
19 the Office of Management and Budget in conjunction with the State Treasurer shall have the authority to  
20 deauthorize remaining balances or bond authorization that will not convert from the Delaware Financial  
21 Management System to the First State Financials system and transfer to the applicable accounts as listed  
22 below.

23 State Treasurer's Agency Bond Reversion Account	1994-12-05-03-8101
24 State Treasurer's School Bond Reversion Account	1994-12-05-03-8102
25 General Fund Capital Reprogramming	2002-12-05-03-0888

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 37. Composites Research. The Delaware Economic Development Office (DEDO) is  
3 authorized to provide a match of up to \$100,000 to the University of Delaware Center for Composite  
4 Materials for federal research grants received that support the development and application of composite  
5 manufacturing technology for the benefit of Delaware companies. Such match shall be disbursed from the  
6 Strategic Fund upon documentation of the receipt of federal funds allocated to the Center during the fiscal  
7 year for these purposes and upon documentation of the relevance of these research projects to Delaware  
8 industries' needs and their participation within said projects.

9 Section 38. Delaware Industrial Park. DEDO is hereby prohibited from locating any operation that  
10 involves the use of hazardous materials at the former Helix Synthesis Technologies site within the  
11 Delaware Industrial Park. Hazardous materials are defined as any material of a gaseous, liquid or solid  
12 form that has the potential to cause temporary or permanent harm to humans or the environment.

13 Section 39. Diamond State Port Corporation. The Section 1 Addendum to this Act contains an  
14 appropriation of \$10,100,000 for the Diamond State Port Corporation. The expenditure of these funds shall  
15 be subject to the review and approval of the Board of Directors of the Diamond State Port Corporation  
16 (DSPC). In addition, the DSPC may borrow, on an interest-free basis, \$2,100,000 of this authorization to  
17 meet its short term operating expenses during Fiscal Year 2011.

18 Section 40. Kalmar Nyckel. The scheduling of the Kalmar Nyckel by non-state entities shall  
19 require the approval of the Riverfront Development Corporation. Further, the Riverfront Development  
20 Corporation is encouraged to enter into negotiations with interested parties to review the disposition of  
21 loans to the Kalmar Nyckel.

22 Section 41. Transportation Property Disposition. The proceeds from the future sale of parcels of  
23 land the Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva  
24 Properties located in the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

25 Section 42. Council on Development Finance. If DEDO makes an award not in agreement with  
26 the recommendations of the Council on Development Finance (CDF), the Director of DEDO shall notify

1 the Co-Chairs of the Joint Legislative Committee on Capital Improvements within 10 business days. The  
2 notification shall include details of the actual award, the Council recommendations on the proposal, and a  
3 justification for why DEDO did not follow the recommendations of the Council.

4 Section 43. New Markets Tax Credit Program. In the event that the Director of DEDO or the  
5 Director of the Delaware State Housing Authority and the Secretary of Finance determine that it is  
6 advisable to apply for participation in the New Markets Tax Credit Program under the U.S. Treasury  
7 Department, the Director is authorized to form a business entity or organization to apply for and manage  
8 this program on behalf of the State, as required by applicable federal legislation and regulations. Any such  
9 application for said program shall be subject to the approval of the Co-Chairs of the Joint Legislative  
10 Committee on the Capital Improvement Program and the Delaware State Clearinghouse Committee.  
11 Should such application receive final approval by the U.S. Treasury Department or other federal  
12 governmental entity charged with such authority, at least one public hearing shall be held for the purpose of  
13 presenting the program, the availability of financial assistance and the selection process and the Director of  
14 the Delaware State Housing Authority shall notify, by certified and regular mail, any state senators and  
15 representatives in whose districts any development project may be located, upon the submission of a request  
16 for financing and a decision to provide financing for such development pursuant to the New Market Tax  
17 Credit Program. In addition, the Housing Director shall so notify the Chief Executive Office of any local  
18 government in whose jurisdiction any development will be located.

19 Section 44. Kent County Levy Court Local Lodging Tax. Kent County Levy Court may issue up  
20 to \$20,000,000 in general obligation bonds for the Dover Civic Center with the resulting debt service to be  
21 paid from the annual operating revenues of the Center. Should the annual operating revenues of the Center  
22 be insufficient at any time during the debt repayment period to cover principal and interest payments, the  
23 Levy Court shall be authorized to impose, by duly enacted ordinance, a local lodging tax for any room or  
24 rooms in a hotel, motel or tourist home, as defined in 30 Del. C. §6101, in an amount sufficient to repay  
25 any principal and interest deficits not covered by Center revenues for the period for which such deficiency  
26 exists. The Levy Court, in consultation with the State Treasurer and Secretary of Finance, shall establish

1 the rate and duration of any necessary levy. The Levy Court’s authority to levy said hotel tax shall sunset  
2 upon repayment of all principal and interest associated with the bond issuance.

3 Section 45. Fraunhofer Vaccine Development. The Section 1 Addendum to this Act appropriates  
4 \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General Assembly and the  
5 Administration that said funds represent the last year of a five-year commitment by the State of Delaware  
6 to leverage a 2:1 matching grant of \$10,000,000 from Fraunhofer USA. Further, up to one-third of the  
7 aggregated state match shall be used to increase the capacity of Delaware farmers to participate in the  
8 commercial raising of plants for the production of biopharmaceuticals.

9 Section 46. Emerging Technology Center. Notwithstanding any other law to the contrary, funds  
10 appropriated to DEDO for the Emerging Technology Center, pursuant to 74 Del. Laws, c. 308 §36(c),  
11 shall be expended by DEDO for the purpose of operating the Delaware Emerging Technology Center  
12 (“ETC”). Operating expenses may include, but are not limited to ETC software licensing agreements;  
13 patent maintenance fees; Delaware sponsored ETC investor forums, businesses plan competitions and  
14 conferences, marketing campaigns; and Intellectual Property Business Creation program implementation  
15 initiatives.

16 Section 47. Strategic Fund. Notwithstanding any other law to the contrary, the funds appropriated  
17 to DEDO for the establishment of the Technology-Based Seed Fund, 74 Del. Laws, c. 308 §36(f), Venture  
18 Capital Investment, 74 Del. Laws (including Venture Capital Repay appropriation), c. 308 §36(g) and the  
19 Technology-Based Seed Fund/ Phase II, 75 Del. Laws, c. 353 §40(e) shall be deposited by DEDO into the  
20 Strategic Fund for use in accordance with the provisions of 29 Del. C. §§5027-5029 and regulations  
21 promulgated thereunder. Sections 74 Del. Laws, c. 308 §36(f), and 75 Del. Laws, c. 353 §40(e) are hereby  
22 stricken in their entirety. Available funds shall be deposited into the Strategic Fund.

23 Section 48. Riverfront Development Corporation. (a) Funds appropriated for the Riverfront  
24 Development Corporation shall be disbursed to a special fund to be known as the Riverfront Development  
25 Corporation Fund hereinafter referred to as the Fund.

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

4 (c) Funds appropriated to DEDO for the Riverfront Development Corporation of Delaware (RDC)  
5 shall be expended only with the approval of the board of directors of the RDC. Funds may only be  
6 expended for activities related to the redevelopment of the Brandywine and Christina riverfront areas,  
7 including: planning and design studies; the acquisition, construction and improvement of real property;  
8 environmental remediation; costs of operations and administration; conversion of the Chase Center on the  
9 Riverfront to a conference center; debt service; and other expenses in furtherance of the mission of the  
10 RDC.

11 Section 49. Limited Investment for Financial Traction (LIFT) Initiative. Notwithstanding any  
12 other law to the contrary, DEDO is hereby authorized to pay administrative fees associated with the LIFT  
13 Initiative from the Strategic Fund not to exceed two percent of the program total.

14 Section 50. Port of Wilmington. The Diamond State Port Corporation (“DSPC”) and the Office of  
15 Management and Budget will develop options for providing health insurance to retired members of the  
16 DSPC Pension Plan. These options will include a cost share allocation for the health insurance between the  
17 DSPC and the retired member. The options will be submitted to the Board of Directors of the DSPC for  
18 review by October 15, 2010.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 Section 51. Housing Preservation. The Section 1 Addendum to this Act appropriates \$4,500,000  
3 for Housing Development Fund - Preservation (10-08-01). It is the intent of the General Assembly and the  
4 Administration that said funds are to be used to leverage other funding sources, such as Low Income  
5 Housing Tax Credits (LIHTC) and tax-exempt bonds to help renovate and improve existing federally  
6 subsidized housing stocks in Delaware. The renovations may secure \$63,000,000 in federal Housing  
7 Assistance Payment (HAP) rental subsidy funds over the next 30 years. The Director of the Delaware State  
8 Housing Authority shall report to the Controller General and the Director of the Office of Management and  
9 Budget no later than April 30, 2011 on the expenditure of the Housing Development Fund - Preservation  
10 funds appropriated in Section 1 Addendum to this Act. Said report shall also include the amount and  
11 expenditure of any non-state funds received by the State for said Housing Preservation projects.

1 **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2 Section 52. Data Center Projects. In no instance shall any information technology data center  
3 project be initiated by a department/agency during this fiscal year until a formalized plan has been approved  
4 by the department/agency head, Director of the Office of Management and Budget and the State Chief  
5 Information Officer. This includes, but is not limited to, relocating, renovating and/or constructing new  
6 information technology data centers.

1 **DEPARTMENT OF STATE**

2 Section 53. North Wilmington Library. Funds authorized in the Section 1 Addendum of 70 Del.  
3 Laws, c. 210 shall be used to plan and construct a library within the First Senate District.

4 Section 54. Delaware River Main Channel Dredging. It is the intent of the General Assembly that  
5 any future appropriation of State funds for the main channel dredging of the Delaware River shall be  
6 contingent upon the following:

7 1) A written agreement between the Army Corps of Engineers and the Department of Natural  
8 Resources and Environmental Control dealing with the potential use of dredge spoils for  
9 Delaware beach preservation and habitat protection.

10 2) The Corps of Engineers shall meet all necessary DNREC permitting requirements.

11 Section 55. Museum Maintenance. The Section 1 Addendum to this Act appropriates \$350,000 to  
12 the Department of State for museum maintenance. It is the intent of the General Assembly that these funds  
13 be retained by the Department of State, Division of Historical and Cultural Affairs for use with the  
14 operations of State museums or for repairs to those facilities under the control of the Division of Historical  
15 and Cultural Affairs.

16 Section 56. Library Construction. Proposals submitted by the Department of State to the Office of  
17 Management and Budget under 29 Del. C. §6604A shall include a statement as to whether or not each of  
18 the libraries have the required 50 percent non-state share match as defined in 29 Del. C. §6602A(2).

19 Section 57. City of Dover Library. The Section 1 Addendum to 76 Del. Laws, c. 288 appropriates  
20 \$4,000,000 to the Department of State for the City of Dover Library. The City may proceed with  
21 construction using local funds and any State assistance may be applied retroactively to costs incurred after  
22 the date that such library construction was certified by the Division of Libraries and the Delaware Council  
23 on Libraries.

24 Section 58. Stabilization Endowment for the Arts. It is the intent of the General Assembly that  
25 previously appropriated funds from the Department of State to the Stabilization Endowment for the Arts



- 1 may be used to fund operating expenses pursuant to appropriate controls and procedures adopted by the
- 2 Board of the Arts Consortium of Delaware and upon concurrence of the Division of Arts.

1 **DEPARTMENT OF FINANCE**

2 Section 59. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue Code of  
3 1986, as amended (the “Code”), whenever the General Assembly authorizes the issuance of the State’s  
4 General Obligation bonds or the Delaware Transportation Authority’s (the Authority) revenue bonds to  
5 finance the costs of specific capital projects, it is the intent of the General Assembly that the interest on  
6 such bonds shall not be included in gross income for federal income tax purposes under Section 103 of the  
7 Code, and the United States Treasury Regulations (the “Regulations”) thereunder as they may be  
8 promulgated from time to time, or shall be qualified as Build America Bonds pursuant to the Code and the  
9 Regulations. Pursuant to the State's budget and financial policies, other than unexpected situations where  
10 surplus revenues render bond financing unnecessary or undesirable, no funds other than the proceeds of  
11 such bonds, are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set  
12 aside by the State to pay the costs of such specific capital projects. Pursuant to the Authority’s budget and  
13 financial policies, it is expected that approximately 50 percent of the costs of its capital projects shall be  
14 funded on a long-term basis from the proceeds of such bonds. However, after the authorization of such  
15 bonds but prior to their issuance, non-bond funds from the State’s General Fund or the Authority’s  
16 Transportation Trust fund or other funds may be advanced on a temporary basis to pay a portion of the costs  
17 of such specific capital projects. In that event, it is expected that these non-bond funds will be reimbursed  
18 from the proceeds of such bonds when they are issued. This reimbursement may cause a portion of such  
19 bonds to become reimbursement bonds within the meaning of Section 1.150-2 of the Regulations. Under  
20 those Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal  
21 income tax purposes, it may be necessary to make a declaration of official intent. The Secretary of Finance  
22 is hereby designated as the appropriate representative of the State and the Secretary of Transportation is  
23 hereby designated as the appropriate representative of the Authority, and each is authorized to declare  
24 official intent on behalf of the State or the Authority, as the case may be, within the meaning of Section  
25 1.150-2 of the Regulations, whenever and to the extent that such declaration is required to preserve such tax  
26 treatment.

1           Section 60. 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 (QZABs) within the meaning of the Code and the Regulations. Such portion shall be  
4 equal to the maximum amount of QZABs which may be issued under the Code and the Regulations. The  
5 Secretary of Finance is hereby authorized to determine the terms and conditions of the QZABs and the  
6 eligible public school project financed by the QZABs, and the manner by which QZABs shall be awarded  
7 to the purchasers thereof, including private negotiated sale, notwithstanding anything to the contrary  
8 contained in 29 Del. C. c. 74; provided that the requirements of 29 Del. C. §7422 must be observed.

9           Section 61. Qualified School Construction Bonds; Build America Bonds; and Amortization  
10 Requirements. A portion of the General Obligation bonds authorized under this Act or any previous  
11 authorization act may be issued in the form of Qualified School Construction Bonds (QSCBs), Build  
12 America Bonds (BABs), or any other bonds permitted by the federal American Recovery and Reinvestment  
13 Act of 2009 (ARRA) or by the Code. The QSCBs may be issued in a principal amount not exceeding the  
14 maximum amount of QSCBs which may be issued under the Code and the Regulations and are hereby  
15 authorized as part of the General Obligation bonds authorized under 29 Del. C. §7422(b). Notwithstanding  
16 anything to the contrary contained in 29 Del. C. 74, the Secretary of Finance is hereby authorized to  
17 determine the terms and conditions of the QSCBs, the BABs and any other bonds permitted by ARRA, or  
18 any bonds issued in connection with the QSCBs or BABs, and the manner by which they shall be awarded  
19 to the purchasers thereof, including private negotiated sale. Any bonds authorized in this Act or any  
20 previous authorization act may be issued during Fiscal Year 2010 or Fiscal Year 2011, and may be subject  
21 to any amortization requirements as shall be determined by the issuing officers notwithstanding anything to  
22 the contrary contained in Section 7406(b) of Title 29.

23           Section 62. Negotiated and Public Sale. Amend 29 Del. C. §7406(a) by deleting the parenthetical  
24 phrase therein which reads “(which may be a private negotiated sale only if any of the bonds of a series of  
25 bonds or all the bonds to be sold are capital appreciation bonds)”, and substituting the following  
26 parenthetical phrase “(which may be a public or private negotiated sale at a price above or below par).”

1           Section 63. Local School Bonds. Amend 14 Del. C. §2108 by deleting the number "25" and  
2 inserting in lieu thereof the number "20" and by deleting the word "twenty-fifth" and inserting in lieu  
3 thereof the word "twentieth".

4           Section 64. Research and Development. (a) Amend 72 Del. Laws, c. 23 §7, as amended by 75  
5 Del. Laws, c. 140 §1, by deleting the phrase "December 31, 2003 and before January 1, 2011" and inserting  
6 in lieu thereof the phrase "December 31, 2008 and before January 1, 2012".

7           (b) Amend 75 Del. Laws, c. 140 §1, by deleting the phrase "December 31, 2003 and before  
8 January 1, 2011" and inserting in lieu thereof the phrase "December 31, 2008 and before January 1, 2012".

9           (c) Amend 30 Del. C. §2070(a), by deleting the second sentence therein and inserting in lieu  
10 thereof the following: "Taxpayers must complete an application for the credit on a form prescribed by the  
11 Director. Such application must be received by the Director no later than September 15<sup>th</sup> of a tax year."

12           (d) Amend 30 Del. C. §2073(a), by deleting the year "2010" and inserting in lieu thereof the year  
13 "2011".

14           Section 65. Lotteries. Amend 29 Del. C. §4803 (s) by striking the word "keno" after the word  
15 "roulette" and before the words "bingo, wheel of fortune...".

1 **DEPARTMENT OF CORRECTION**

2 Section 66. 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 67. 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 68. Maintenance and Restoration. The Section 1 Addendum to this Act appropriates  
16 \$3,135,400 to the Department of Correction for Maintenance and Restoration projects. The Department  
17 must submit a bi-annual report to the Director of the Office of Management and Budget and the Controller  
18 General, detailing the expenditure of such funds and the respective projects. The Department shall submit a  
19 preliminary plan to the Director of the Office of Management and Budget and Controller General for  
20 maintenance projects for the following fiscal year by October 31.

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

2           Section 69. Beach Preservation. The General Assembly hereby appropriates \$1,000,000 to the  
3 Department of Natural Resources and Environmental Control (DNREC) in the Section 1 Addendum to this  
4 Act to renourish and preserve the State's beaches. The Department may not encumber the funds  
5 appropriated herein for privately-owned beaches.

6           Section 70.. Conservation Cost-Sharing Program. The Section 1 Addendum to this Act  
7 appropriates \$1,500,000 to the Department of Natural Resources and Environmental Control for the  
8 Conservation Cost-Sharing Program. Of this amount, 70 percent will be divided equally among the three  
9 conservation districts to expand their water quality and water management programs. Preference should be  
10 given to projects or conservation practices that improve water quality on lands covered by nutrient  
11 management plans, as practicable and in consultation with the Secretary. The remaining balance will be  
12 directed towards nutrient management and water quality efforts statewide as determined by the Secretary, in  
13 consultation with the three conservation districts.

14           Section 71. DNREC Land Acquisition. Except for land acquired by approval of the Open Space  
15 Council or approved through a Bond and Capital Improvements Act, land shall not be purchased by the  
16 Department of Natural Resources and Environmental Control without prior approval of the Co-Chairs of  
17 the Joint Legislative Committee on the Capital Improvement Program provided, however, that the  
18 Department is not prohibited from conducting studies, surveys or other contractual arrangements that  
19 would normally precede land acquisition procedures.

20           Section 72. Open Space Match Requirements. Notwithstanding the provisions of 29 Del. C.  
21 §6102A(c) (2), upon written request by the Open Space Council and notification of the Secretary of  
22 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby  
23 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land  
24 purchase if it can be demonstrated that meeting said match requirements would prevent the timely  
25 purchase of said parcel.

1           Section 73. Army Corps of Engineers Project Cooperation Agreements. By using funds approved  
2 by Bond and Capital Improvements Acts, the Secretary of DNREC is authorized to sign Project  
3 Cooperation Agreements with the Department of the Army and other appropriate sponsors for planning,  
4 construction, operation and maintenance for projects entered into by said Agreements.

5           Section 74. Indian River Marina. In accordance with the provisions of 73 Del. Laws, c. 350, §70,  
6 DNREC under the direction of the Director of the Office of Management and Budget may utilize up to  
7 \$9,900,000 in funds from the Twenty-First Century Fund for the Parks Endowment Account as established  
8 in 29 Del. C. §6102A(e), for the purpose of revitalizing and enhancing public amenities within the  
9 Delaware Seashore State Park in and around the Indian River Marina Complex and related support facilities  
10 as presented to the Joint Legislative Committee on Capital Improvements on May 15, 2002. DNREC will  
11 repay both the principal borrowed and interest on the principal borrowed equal to that interest lost as a  
12 result of borrowing from the Account. Repayment shall not exceed twenty years.

13           Section 75. Newark Reservoir. Of the funds allocated from the Twenty-First Century  
14 Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside  
15 for the Newark Reservoir Project. If the City of Newark annexes the property referred to as New Castle  
16 County Tax Parcel #08-059.20-002, the City must repay to the State those monies appropriated in the Fiscal  
17 Year 2000 and 2001 Bond and Capital Improvements Acts for said project.

18           Section 76. Seventh Street Marina. It is the intent of the General Assembly to classify the Seventh  
19 Street Marina, located on East Seventh Street, being Tax Parcel # 26.044.00.0013 containing 7.86 acres of  
20 land (of which 5.27 acres, more or less, is above the high water line) as existing marina for purposes of the  
21 State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on February 22, 1993.  
22 Such classification does not exempt any person seeking to make physical improvements to the marina from  
23 permit application fees pursuant to 7 Del. C. c. 66 and 72.

24           Section 77. Assawoman Canal Dredging. It is the express finding of the General Assembly that  
25 the benefits of dredging and maintaining the Assawoman Canal exceed the costs of such project and the  
26 Secretary of DNREC is hereby directed to initiate all necessary actions to dredge the Canal pursuant to all

1 terms and conditions provided for in the state and federal permits issued for the project and initially  
2 authorized by Secretary's Order 2004-W-0047 dated August 12, 2004.

3 Section 78. Waterway Management. DNREC is directed to provide dedicated, comprehensive  
4 waterway management for state waters. DNREC will: maintain design depths and mark navigational  
5 channels of the State that are not maintained and marked by any entity of the federal government; remove  
6 nuisance macroalgae; remove abandoned vessels; remove derelict structures, trees and other debris that  
7 threatens safe navigation; and perform any other waterway management services that may be identified to  
8 preserve, maintain and enhance recreational use of the State's tidal waters, as well as improve  
9 environmental conditions as warranted or directed by the Governor or Secretary of DNREC. DNREC is  
10 further directed to undertake a study of the sediment sources and patterns of sediment movement that results  
11 in deposition within State waterways to determine if there are methods to reduce the dependency on  
12 dredging to remove deposited sediments.

13 Section 79. Clean Water Funding Leverage. The Department of Natural Resources and  
14 Environmental Control, under advisement from the Clean Water Advisory Council, is encouraged to  
15 evaluate the potential leveraging of the Water Pollution Control Revolving Fund and/or the Twenty-First  
16 Century Fund Wastewater Management Account based on the recommendation of the Dialogue on  
17 Financing Wastewater and Stormwater Infrastructure report sponsored by the Delaware Public Policy  
18 Institute, Office of the Governor, Office of the Lieutenant Governor, DNREC and the Clean Water  
19 Advisory Council. The Department is further encouraged to include in its evaluation the use of any other  
20 resources or assets within the Department that can be used to create an environmental infrastructure trust to  
21 further the environmental goals of the State.

22 Section 80. Conservation Districts. It is the intent of the General Assembly that the Office of  
23 Natural Resources, Division of Watershed Management and the Conservation District as established by 7  
24 Del. C. c. 39 shall have the authority to transfer Twenty-First Century Funds among projects that are  
25 located within their respective districts. Projects into which funds are transferred shall have their full non-  
26 Twenty-First Century funding in place before any such transfer can occur and in no case shall any project



1 from which funds are taken be dropped from the project list for construction when funds become available.  
2 The Office of Natural Resources, Division of Watershed Management shall report a list of completed  
3 transfers to the Controller General and the Director of the Office and Management and Budget on  
4 December 15, 2010 and May 15, 2011.

5 Section 81. Yard Waste Drop Sites. It is the intent of the General Assembly that all yard waste  
6 drops sites in New Castle County remain operational unless otherwise directed by the General Assembly.  
7 The Department shall relocate the yard waste disposal site currently located at the Cauffiel Estate to a new  
8 location suitable for residents within the surrounding area.

9 Section 82. Land and Water Conservation Trust Fund. For the Fiscal Year ending June 30, 2010,  
10 the \$450,000 scheduled for deposit into the Endowment Account (12-05-03-0804) shall instead be  
11 deposited into the Stewardship Account (40-06-04-8021).

12 Section 83. Land and Water Conservation Trust Fund. Amend 30 Del. C. §5423 (b)(1) by deleting  
13 the words “deposited in the Earnings Account; provided that all earnings on the funds in the Endowment  
14 Account in excess of \$1,500,000 in any fiscal year shall be deposited in the Stewardship Account.” and  
15 insert in lieu thereof the following: “distributed as follows: two-thirds to the Earnings Account and one-  
16 third to the Stewardship Account.”

17 Further amend 30 Del. C. §5423 (b)(2) by deleting the words “At the close” and insert in lieu  
18 thereof the words the following: “On or before December 15”.

19 Further amend 30 Del. C. §5423 (c)(1) by deleting the words “at the close” and insert in lieu thereof  
20 the words the following: “on or before December 15”.

21 Section 84. Drainage Project Match Requirements. For water management and drainage projects  
22 undertaken by the Department of Natural Resources and Environmental Control’s, Office of Natural  
23 Resources, Division of Watershed Management and the Conservation Districts using 21<sup>st</sup> Century Fund  
24 Resource, Conservation and Development funds, the required non-21<sup>st</sup> Century Fund match shall be  
25 reduced from 25% to a minimum of 10% of the total project cost for any project undertaken during Fiscal  
26 Year 2011 and 2012. With the agreement of the legislators in whose districts the projects originated, 21<sup>st</sup>

1 Century funding may be transferred among projects in an effort to accumulate up to 90% 21<sup>st</sup> Century  
2 funding for priority projects. If the construction of these projects extends beyond Fiscal Year 2012, so long  
3 as the project has expended funds during this period for planning, survey, design, engineering, permitting or  
4 other support functions, the match percentage shall remain 10% for the project's duration.

5 Section 85. Auburn Valley Project. The implementation of the transportation, stormwater  
6 management, demolition, remediation, redevelopment, and parks and recreation element of the Auburn  
7 Valley Master Plan shall not be subject to the zoning, subdivision, land use, or building code ordinances or  
8 regulations of New Castle County.

9 Section 86. Conservation District Contracting. Notwithstanding any statutory provision or  
10 regulation to the contrary, it is the intent of the General Assembly that the Department of Natural Resources  
11 and Environmental Control may enlist Delaware's conservation districts as provided in 7 Del. C. c. 39 to  
12 advance the purposes of this chapter. All contracts shall be subject to the provisions of 29 Del. C. §6960.

13 Section 87. University of Delaware – Lewes Lands. The University of Delaware desires to acquire  
14 portions of land previously acquired from the University by the Department of Natural Resources and  
15 Environmental Control which are located adjacent to the Sharpe Campus in Lewes. The Department has  
16 determined that some of this land is now surplus to the Department's needs. In accordance with 30 Del. C.  
17 §5423 (c)(2), the General Assembly authorizes the Secretary of the Department to negotiate a transfer of  
18 such land to the University in keeping with the requirements of this section. The Secretary may accept  
19 funds or, if he determines that it is in the best interests of the Department, may accept open space property  
20 in exchange, or a combination of funds and property, as long as the total funds and fair market value of the  
21 exchanged property at least equals the fair market value of the Lewes land. Any land/fund transfers  
22 pursuant to this section, shall require the approval of the Co-Chairs of the Joint Legislative Committee on  
23 the Capital Improvement Program, the Director of the Office of Management and Budget and the Controller  
24 General.

25 Section 88. Wind Energy Systems. Amend 29 Del. C. §8060 (a) by adding a third sentence thereto  
26 to read as follows: "Notwithstanding the provisions of any existing county or municipal zoning ordinance

1 or regulation, no prohibition against or restriction on wind energy systems for residential single-family  
2 homes that is inconsistent with 29 Del. C. §8060 and adopted prior to August 8, 2009 shall be effective and  
3 no conditional use or other zoning review process shall be required.”

4 Section 89. Recycling Cash Flow. The Department is hereby authorized, consistent with 7 Del.  
5 C. c. 60 and 30 Del. C. c. 29, to issue grants and loans to assist persons engaged in the business of  
6 collecting, transporting, processing, or marketing recyclable materials. To that end, the Secretary shall be  
7 authorized to borrow up to \$22 million in combination from the Delaware Land and Water Conservation  
8 Trust Fund Endowment Account, the Parks Endowment Account, the Beach Preservation Appropriation  
9 Account and the Resource, Conservation and Development Appropriation in order to fund activities  
10 pursuant to 7 Del. C. §6054 and §6055. Any funds borrowed from such accounts shall be paid back in full  
11 by no later than June 30, 2015, from fees generated pursuant to 30 Del. C. c. 29. To the extent that  
12 borrowing results in reduced revenues to the Department for programs that rely on interest from these  
13 accounts, principal from the account may be used to offset up to the amount of lost interest revenue and  
14 shall be repaid by fees generated pursuant to 30 Del. C. c. 29. A report must be submitted regarding funds  
15 borrowed and update on the recycling program to the Director of Office and Management and Budget and  
16 the Controller General’s Office by October 15, 2010 and April 15, 2011.

17 Section 90. Bay View. The Department is hereby authorized to spend up to \$200,000 from the  
18 Beach Management Account for the purpose of stabilization and/or restoration of the beach at the  
19 community of Bay View. These funds shall be used for the acquisition of additional scientific data, and/or  
20 preparation of local, state, and federal permit applications for this project and may be added to subsequent  
21 year appropriations for construction of this protective beach and terminal structure to assist in stabilizing  
22 the beach. Project oversight and implementation will be provided through the New Castle Conservation  
23 District. Prior to any construction, all applicable local, state and federal permitting requirements shall be  
24 met. The Department's interim policy for Coastal Lands Restoration Projects shall apply and prior to  
25 commencement of any construction, a written agreement between the Department and the community shall  
26 be signed by appropriate parties and will address applicable policy considerations. Any funds borrowed

- 1 from the Beach Management Account shall be restored through Bond Bill appropriations no later than
- 2 August 1, 2015.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 91. General Provisions. The Department of Transportation (Department) is hereby  
3 authorized and directed to use all its designated powers and resources to carry out the following legislative  
4 mandates:

5 (a) Transportation Trust Fund Authorizations. Sums not to exceed \$733,179,500 (State:  
6 \$126,990,200; Federal: \$506,525,700; Other: \$99,663,600) 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) Reauthorization of Previous Fund Balances. Of the \$733,179,500 authorized in subsection (a)  
10 above, the sum of \$35,068,872 (state) for newly authorized projects within the Road Systems and Support  
11 Systems authorizations shall be funded from previously authorized, but unexpended balances in the  
12 following appropriations:

<u>Deauthorization</u>	<u>Amount</u>
7700 Road Systems	35,068,872.08
<u>Reauthorization</u>	<u>Amount</u>
7700 Road Systems	28,097,672.08
7600 Support Systems	6,971,200.00

18 (c) New Transportation Trust Fund Debt Authorizations. To fund a portion of the projects  
19 authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an amount  
20 not to exceed \$108,362,721 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more than  
21 \$101,306,000 plus premium shall be used for purposes set forth in the Section 1 Addendum of this Act with  
22 the remainder, not to exceed \$7,056,721 to be used to fund issuance costs and necessary reserves for the  
23 Reserve Account.

24 Section 92. Maintenance and Operations Facilities. Building structures and facilities constructed,  
25 or to be constructed, within the Department of Transportation's operating right of way that facilitate  
26 maintaining the highway system and are used to assist in the operational and maintenance activities for all

1 roads, shall not be subject to zoning, subdivision, or building code ordinances or regulations by any  
2 political subdivision of the State. Types of structures may include; equipment sheds, crew quarters,  
3 equipment maintenance, equipment washing, material storage sheds (i.e. salt, sand and other bulk  
4 materials), fuel centers, and other maintenance structures required to maintain the highway system such as  
5 security (cameras and fences) including necessary maintenance and replacement items such as upgrades to  
6 existing facilities. The Department shall not construct any such facility without first conducting a public  
7 workshop to describe such plans and gather public input into the effect of such plans.

8 Section 93. Transportation Enhancements. (a) It is the intent of the General Assembly that the  
9 Department provide notice to all State agencies, political sub-divisions within the State, and other parties of  
10 the availability of, and rules governing, the Transportation Enhancements program. Such notice shall  
11 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and  
12 such other requirements as may be necessary to insure that any interested entity may work to become a  
13 participating recipient under the program. For new projects, the Department of Transportation is directed to  
14 submit a detailed list of all projects funded within the Transportation Enhancement Program to the Office of  
15 Management and Budget and Office of the Controller General on an annual basis. The State funding for  
16 this program shall be limited to the required 20 percent match of the related Federal Authorization. The  
17 projects funded by this program shall be limited to the allowable categories as outlined by the Federal  
18 Highway Administration. Any deviation from this process must be approved by the Office of Management  
19 and Budget, Office of the Controller General and Co-Chairs of the Joint Committee on Capital  
20 Improvements.

21 (b) Upon the award of Transportation Enhancement Program funds and prior to the allocation of  
22 funding for any Transportation Enhancement project, the Department of Transportation shall notify the  
23 respective senators and representatives in which said project shall be located.

24 Section 94. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum of  
25 \$15,475,000 (State) for projects within the Grants and Allocations classification. The General Assembly  
26 further defines its intent with respect to those appropriations as follows:

1 (a) The sum of \$11,475,000 (State) shall be used for the Community Transportation Fund, in  
2 accordance with the rules and regulations as adopted by the Joint Legislative Committee on the Capital  
3 Improvements Program, as amended from time to time.

4 (b) The sum of \$4,000,000 (State) shall be used for the Municipal Street Aid program, pursuant to  
5 the provisions of 30 Del. C. c. 51.

6 Section 95. 5310 Program. The Delaware Transit Corporation is authorized to expend up to  
7 \$1,555,200 (\$1,104,300 State; \$450,900 Federal) from the Transit System classification (73/00)  
8 appropriated in this Act for the 5310 Program, administered by the Federal Transit Authority.

9 Section 96. DelDOT Work Impacts on Private Property and its Owners. When the Department  
10 and/or any of its contractors determines that it would be in the best interests of the State to undertake  
11 construction/reconstruction work past 9:00 p.m. or before 7:00 a.m., and such work is to be conducted  
12 immediately adjacent to a residential neighborhood.

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

21 (b) The Department may proceed with its extended hours of work so long as jack hammering or  
22 other high noise activities do not impose an excessive nuisance to residents within the designated work  
23 zone.

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

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

9 Section 97. McMullen Farm. The General Assembly has previously authorized the Department to  
10 enter into contracts with the owners of property located in Bear, Delaware known as the McMullen Farm in  
11 order to promote improved transportation access and circulation, to promote healthy economic growth, and  
12 to preserve and enhance critical open space. The Department is authorized to continue its negotiations for  
13 the improvements to Routes 7 and 40, to the system of roads connecting to these arteries, and to the lands  
14 adjacent between the bounds of Route 273 and Route 40, Route 1 and Salem Church Road. All previous  
15 authorizations to the Department, and other affected State agencies, shall remain in force and effect, and the  
16 Secretary of the Department shall report to the Governor and the General Assembly on progress toward the  
17 completion of the transportation improvements, development of the excess lands, and creation and  
18 improvement of the community parkland no later than May 1, 2011.

19 Section 98. Indian River Inlet Bridge. State funds authorized in this and previous Acts of the  
20 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the  
21 construction of new park amenities, access and circulation roads, and other transportation and recreation  
22 improvements shall be used, to the maximum extent possible, to match federal funds previously available,  
23 or to become available in the future. In keeping with the strong sense of community involvement and sense  
24 of ownership, the Department shall continue to provide periodic progress updates through such media as it  
25 determines to best address the community's needs. And finally, because in order to accomplish this project  
26 in an efficient and cost-effective manner, the Department and its contractors will have to occupy portions of



1 the State’s adjacent campground and marina facilities, the General Assembly authorizes and directs the  
2 Secretary of the Department to enter into reimbursement agreements with the Secretary of DNREC. Such  
3 agreements will insure that during the period of construction of the bridge and other necessary  
4 improvements, DNREC shall be equitably indemnified from the loss of critical tourist revenues, which are  
5 necessary to fund the operations of all of the State’s outdoor recreational facilities.

6 Section 99. City of Wilmington Beautification. In order to maintain the urban tree canopy  
7 available in the City of Wilmington, the General Assembly authorizes and directs the Department to  
8 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware  
9 Center for Horticulture (Center) and/or Urban Forestry in the Department of Agriculture. It is the intent of  
10 the General Assembly that such program shall be funded exclusively by allocations made from time to time  
11 by members of the General Assembly from their Community Transportation Funds (“CTF”). The  
12 Department shall make payments to the Center and/or Urban Forestry in the Department of Agriculture for  
13 work accomplished, and appropriately vouchered, from the CTF funds herein identified.

14 Section 100. Supplies of Road Materials. Section 109 of 74 Del. Laws, c. 308 is suspended until  
15 such time as the Department of Transportation shall suggest its re-institution and such suspension has been  
16 overridden by an Act of the General Assembly.

17 Section 101. System Capacity Preservation. The General Assembly hereby determines that it is in  
18 the public interest to limit future residential, commercial, or industrial growth along certain portions of the  
19 State’s highway network. Such potential growth would produce unsafe driving conditions as increased  
20 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations  
21 through the State. The General Assembly further determines that it would be infeasible or imprudent for  
22 the Department to attempt to design and construct modifications to the State’s highway network adjacent to  
23 these locations because such improvements would irrevocably destroy the important scenic and historic  
24 nature of the view sheds and other environmental attributes associated with these locations. Accordingly,  
25 the Secretary of the Department of Transportation (Secretary) is authorized and directed to use State funds  
26 appropriated to the Transportation Enhancements program authorized and funded in the Section 1

1 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as  
2 may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary  
3 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds  
4 for these purposes shall be with the review and approval of the Director of the Office of Management and  
5 Budget and Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and 95 shall govern  
6 such purchases, and any other purchase by the Department authorized by this Act.

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

12 Section 102. Denny Road/Route 896 Alignment Completion. Upon completion and final  
13 inspection of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two  
14 parcels (0.93 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of  
15 Meadow Glen, shall revert back to the community which had owned said parcels prior to 1994.  
16 Notwithstanding the provisions of 17 Del. C. §137, the Department shall deed these parcels to the  
17 community and remain in their possession in perpetuity.

18 Section 103. Port of Wilmington. Subject to the review and approval of the Board of Directors of  
19 the Diamond State Port Corporation (DSPC):

20 (a) DSPC may make application to the Delaware River and Bay Authority (DRBA) for such  
21 assistance in the acquisition and improvement of facilities at the Port as the Board of the DSPC deems  
22 appropriate, in accordance with the Compact authorized under 17 Del. C. §1701. For purposes of those  
23 negotiations, any such project selected by the DSPC shall be construed to have been approved by the  
24 General Assembly and Governor as required by law subject to the conditions that any such project shall be  
25 subject to 29 Del. C. c. 69 and that such projects are subject to the approval of the Director of the Office of

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

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

9 Section 104. Wakefield Drive. The Department of Transportation shall be prohibited from  
10 reopening Wakefield Drive in Newark through to Old Baltimore Pike.

11 Section 105. Community Transportation Funding Levels. The Department is directed to account  
12 for the Community Transportation Program funds as cash which shall be equal to the amounts authorized in  
13 Appendix A of this Act as well as previous Bond and Capital Improvements Acts. The funds authorized  
14 within the Community Transportation program shall not be subject to reallocation by the Department under  
15 any circumstances.

16 Section 106. Red Light Safety Enforcement. (1) The program shall continue to use recognized  
17 safety and accident criteria in determining whether and where to add any new enforcement locations to this  
18 program, and in any event shall continue to confirm that any such new locations are not objected to by the  
19 incumbent state Senator and Representative for the districts in which such locations are proposed.

20 (2) To assure integrity and propriety, no person involved in the administration or enforcement of  
21 this program shall own any interest or equity in the vendor used by the Department to support the  
22 administrative elements of the program. Any such person with an ownership or equity interest in such  
23 vendor must divest from this ownership or investment no later than ninety days after the effective date of  
24 this act. This restriction applies to anyone with either direct involvement in administering or enforcing this  
25 program and those in any supervisory capacity above such persons.

1           Section 107. Design-Build Contracts. The Department of Transportation is hereby authorized to  
2 continue utilization of the design-build contract mechanism for a total of twelve transportation construction  
3 projects (eight of which have been authorized). Design-build is a project delivery method under which a  
4 project owner, having defined its initial expectations to a certain extent, executes a single contract for both  
5 architectural/engineering services and construction. The selection processes and other terms of such  
6 contracts may vary considerably from project to project. The design-build entity may be a single firm, a  
7 consortium, joint venture, or other organization. However, the fundamental element of design-build  
8 delivery remains that one entity assumes primary responsibility for design and construction of the project.  
9 The Department of Transportation is authorized to continue the use of these experimental approaches to  
10 completing its projects, subject to the following conditions:

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

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

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

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

23           All other provisions of 29 Del. C. c. 69 shall not be applicable to these projects. The Co-Chairs of  
24 the Joint Legislative Committee on the Capital Improvement Program and the Director of the Office of  
25 Management and Budget shall approve all other projects subject to this section.

1           Section 108. New Development Road Widening. When planning and/or permitting additional road  
2 widening directly related to new residential development, the Department of Transportation, Division of  
3 Planning, shall make every attempt to require the necessary right-of-way land be acquired from the  
4 developer owned land.

5           Section 109. W. L. Gore Site. In evaluating and recommending improvements to the  
6 transportation system related to the development of what is known as the W.L. Gore site, located in New  
7 Castle County and situated on the north side of Sunset Lake – east of SR896 and southeast of Old Cooch’s  
8 Bridge Road, the department will make every effort to ensure that the improvements made facilitate and  
9 encourage traffic to travel toward and use SR896 and to discourage additional use of Old Cooch’s Bridge  
10 Road east of the entrance to the W.L. Gore property. This is in recognition of the historic characteristics of  
11 Old Cooch’s Bridge Road in the vicinity of the intersection with Old Baltimore Pike.

12           Section 110. Route 301 Spur Road Segment. The General Assembly directs the Department to  
13 implement the US 301 Corridor project in Phases, beginning with the US 301 mainline section.

14           Section 111. Astra Zeneca Project. The Department shall carry out property boundary adjustments  
15 and easements for transit, bicycle and pedestrian, storm water management, wetlands and stream  
16 restoration, beautification, historic preservation, conservation and other improvements in concert with  
17 DNREC, DEDO, City of Wilmington, New Castle County, New Castle County Conservation District, and  
18 such other public and private entities as may be necessary to accomplish timely completion of the Blue 4  
19 Ball Master Plan.

20           Section 112. Transportation Trust Fund. The Department continues to identify significant shortfalls  
21 of funding for the Transportation Trust Fund (“TTF”). The increased demand on the State’s transportation  
22 system, limited resources for design and construction for improved safety and increases in the cost of land  
23 acquisition, labor and raw materials continue to strain the TTF. Additionally, continued increases in  
24 borrowing could affect the current excellent credit rating of the TTF. The Secretary of Transportation, in  
25 partnership with the Council on Transportation will establish a small group of individuals to thoroughly  
26 explore, examine and evaluate the resource needs for the comprehensive Capital Transportation Program.

1 This group is also directed to study and report on the issues and potential effects of requiring the  
2 Department of Transportation to determine the funding allocations and project prioritization for those  
3 projects traditionally funded in the Community Transportation Fund category within the Grants and  
4 Allocations appropriation classification. An analysis of overruns and/or deficits for the CTF program over  
5 the past three years will also be provided on a district by district basis. This group will provide a  
6 comprehensive report and recommendations to the Governor and General Assembly by March 31, 2011.

7 Section 113. Municipal Street Aid Program. The Secretary of Transportation shall establish a  
8 committee of Municipal leaders to examine and evaluate the current Municipal Street Aid program in an  
9 effort to ensure appropriate funding levels and program initiatives. A report of findings will be submitted to  
10 the Governor and General Assembly by March 31, 2011.

11 Section 114. Buck Road. The Department of Transportation is requested to refrain from issuing  
12 any entrance permit, authorization, or approval for use of any entrance way from New Castle County Parcel  
13 Number 0702600094 onto Buck Road, until such time as it also certifies by letter to the New Castle County  
14 Department of Land Use that the developer's proposed entrance design meets the Department's standards,  
15 pursuant to its authority under Title 17 Del. C. §146 and its related regulations, intended to protect public  
16 safety and maintain smooth traffic flow. The government of New Castle County is also requested to solicit  
17 comments from and work with the residents of surrounding communities, community organizations, and  
18 State and local officials to address traffic safety and other legitimate land use concerns about the proposed  
19 development, after the receipt of the Department's letter.

20 Section 115. Routes 141 and 48. The Department of Transportation is requested to refrain from  
21 issuing any permit, authorization, or approval for use of any new, additional, revised, or modified entrances  
22 for New Castle County Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-  
23 055, 07-032.20-057 and 07-032.30-072 onto or from Route 141 or Route 48, until such time as the  
24 Department obtains, reviews, and comments upon a traffic operations analysis for the area, which among  
25 other elements addresses (1) the predicted levels of service on intersections, roadways, or the Tyler  
26 McConnell Bridge affected by the proposed development of these parcels, and (2) the roadway

1 improvements necessary to accommodate the development of these parcels, based upon the exploratory  
2 development plans submitted to the New Castle County Department of Land Use by the developer, as  
3 required by the County's Unified Development Code (UDC).

4 Section 116. US 301 Craft Training. Amend 29 Del. C. §6962(c) by adding a new subsection (11)  
5 to read as follows:

6 "In addition, for the US 301 project from the Maryland-Delaware state line to its termination at  
7 Delaware Route 1, all contractors and subcontractors are required, independently or through agreement with  
8 other organizations, to provide craft training for journeyman and apprentice levels through a bona fide  
9 program approved by and registered with the State of Delaware and/or United States Department of Labor."

10 Section 117. State Route One – Lewes. The General Assembly hereby directs the Department of  
11 Transportation to conduct an assessment for the creation of a road connection for motor vehicles such that  
12 they may exit southbound SR 1 to the right just north of the Nassau Overpass and then travel under the  
13 overpass and connect directly to New Road. The Department shall conduct this assessment considering  
14 scenarios under which the current rail line shall remain active and scenarios under which the current rail  
15 line is terminated at some geographical point to the west leaving the entire underpass available for other  
16 transportation uses. The Department shall report to the General Assembly by January 31, 2011, as to  
17 whether such a connection can be achieved, the conditions under which this connection can be achieved if  
18 possible, any alternative approaches to achieving this connection that might be reasonably be considered,  
19 and the approximate cost and consequences of these alternatives.

20 Section 118. Delaware Children's Theatre. Notwithstanding the provisions of 17 Del. C. §137(b), the  
21 Department of Transportation is hereby authorized to deed a 0.16 acre parcel, of unused operating State right of way  
22 adjacent to New Castle County Tax Assessment map parcel #26-021.30-124, located at 1014 Delaware Avenue,  
23 Wilmington, Delaware to the Delaware Children's Theatre. Said parcel shall be deeded with complete vehicular  
24 denial of access along the right of way and shall be subject to any existing utilities of record. The deed shall have a  
25 reversionary clause should the Department ever need a portion for a public purpose project.

1 **AGRICULTURE**

2 Section 119. Farmland Preservation. For the fiscal year ending June 30, 2011, local jurisdiction  
3 funds committed to farmland preservation shall be spent to preserve farmland only in the respective  
4 jurisdictions where the funds originate. Farms to be preserved shall be selected by the local jurisdictions  
5 according to the jurisdictions selection criteria from eligible farms as listed by the Aglands Preservation  
6 Foundation. Similarly, any funds provided by nongovernment organizations shall be spent according to  
7 their selection criteria from eligible farms as listed by the Aglands Preservation Foundation. All state-  
8 appropriated funds for Fiscal Year 2011 shall be utilized by the Aglands Foundation to preserve eligible  
9 farms statewide at its discretion in accordance with Aglands Foundation rules and policies.



**FIRE PREVENTION COMMISSION**

1  
2        Section 120. Hydraulic Rescue Tools Replacement. It is the intent of the General Assembly that  
3 the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Fire School, Newark,  
4 Mill Creek, Indian River, Lewes, Rehoboth Beach and Roxana fire companies. Upon submitting the receipt  
5 of sale, each company will be reimbursed up to \$7,500 by the Fire Prevention Commission - State Fire  
6 School (75-02-01).

**NATIONAL GUARD**

1  
2        Section 121. Delaware National Guard. Notwithstanding 29 Del. C. c. 69 or any other statutory  
3 provision to the contrary, the Delaware National Guard may use design/build project delivery methodology  
4 for the purpose of constructing a wind turbine system at their Training Site in Bethany Beach. To enable  
5 the pursuit of a design/build methodology to construct a wind turbine system, all provisions of 29 Del. C. c.  
6 69 are hereby waived with the exception of §6960 related to prevailing wage.

1 **UNIVERSITY OF DELAWARE**

2 Section 122. Chrysler Site. The Section 1 Addendum of this Act appropriates \$2,000,000 to the  
3 University of Delaware, Chrysler Site. These funds shall be authorized for use by the University only upon  
4 written approval by the Director of the Office of Management and Budget and the Controller General. The  
5 intended use of the funds, as proposed in a written request from the University, is consistent with state  
6 economic development and job creation strategies and policies and such use will be at the former Chrysler  
7 manufacturing plant in Newark.

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 Section 123. 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 124. Stanton Campus Expansion. Delaware Technical and Community College shall apply  
7 for all permits and approvals required pursuant to any applicable provision of 9 and 22 Del. C., or any other  
8 ordinance, rule or regulation enacted pursuant thereto in connection with the design and construction of the  
9 Stanton Campus Expansion (90-04-04); provided, nevertheless, that any such permit or approval shall be  
10 granted within 45 days from the day upon which the college makes application therefore. If any required  
11 permit or approval is not granted within 45 days as set forth above, the college may commence construction  
12 and shall be immune from any legal action or liability for failing to obtain such permit or approval.

1 **DEPARTMENT OF EDUCATION**

2 Section 125. 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 126. 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 127. Minor Capital Improvements. It is the intent of the General Assembly that the sum of  
16 \$7,293,800 allocated in the Section 1 Addendum to this Act be used for minor capital improvements to  
17 school buildings in the following amounts. Districts must use the funds in the amounts below on projects  
18 listed on the facility assessment website hosted by the Department of Education.

19		Maximum	Maximum	
20	<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
21	Appoquinimink	\$ 485,340	\$ 323,560	\$ 808,900
22	Brandywine	550,835	367,223	918,058
23	Special	2,424		2,424
24	Christina	887,680	591,787	1,479,467
25	Special	44,794		44,794
26	Colonial	540,063	360,042	900,105
27	Special	8,797		8,797
28	New Castle Vo Tech	416,075		416,075

1	Red Clay	837,267	558,178	1,395,445
2	Special	11,580		11,580
3	Caesar Rodney	345,841	230,561	576,402
4	Special	19,121		19,121
5	Capital	329,682	219,788	549,470
6	Special	11,580		11,580
7	Lake Forest	207,472	138,315	345,787
8	Milford	219,591	146,394	365,985
9	Polytech	105,657		105,657
10	Smyrna	261,387	174,258	435,645
11	Cape Henlopen	235,426	156,951	392,377
12	Special	16,966		16,966
13	Delmar	61,403	40,935	102,338
14	Indian River	462,288	308,192	770,480
15	Special	10,503		10,503
16	Laurel	116,124	77,416	193,540
17	Seaford	186,736	124,491	311,227
18	Sussex Tech	115,172		115,172
19	Woodbridge	109,607	73,071	182,678
20	Campus Community	32,909		32,909
21	Academy of Dover	13,788		13,788
22	Delaware College Prep			
23	Academy	9,641		9,641
24	DE Military Academy	29,085		29,085
25	East Side Charter	19,982		19,982
26	Family Foundations	23,699		23,699
27	Kuumba Academy	13,627		13,627
28	Maurice Moyer Academy	26,069		26,069
29	M.O.T. Charter	36,410		36,410

1	Newark Charter	69,265		69,265
2	Odyssey Charter	20,252		20,252
3	Pencader Charter	33,340		33,340
4	Positive Outcomes	6,463		6,463
5	Prestige Academy	9,533		9,533
6	Providence Creek	37,110		37,110
7	Sussex Academy of Arts	17,451		17,451
8	Thomas Edison	42,604		42,604
9	Wilmington Charter	<u>53,161</u>		<u>53,161</u>
10	Total to Schools	\$7,093,800	\$3,891,162	\$10,984,962
11	Vocational Equipment	85,000	56,667	141,667
12	State Board Contingency	<u>115,000</u>	<u>76,667</u>	<u>191,667</u>
13	TOTAL	\$7,293,800	\$4,024,496	\$11,318,296

14           Section 128. Dickinson High School. Funding for the Red Clay School District including bond  
15 authorizations for renovations of the John Dickinson High School and the transfer of major capital  
16 construction funds shall be contingent upon the following:

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

23           Section 129. Sterck School. The Section 1 Addendum to 76 Del. Laws, C. 288, appropriates  
24 \$5,422,700, Section 1 Addendum of this Act appropriates \$15,442,700; Section 1 Addendum to 75 Del.  
25 Laws, c. 98 appropriated \$2,700,000; Section 1 Addendum to 75 Del. Laws, c. 353 appropriated  
26 \$8,000,000; and Section 1 Addendum to 76 Del. Laws, c. 79 appropriated \$10,000,000 to the Sterck

1 School. It is the intent of the General Assembly that the funding herein and previously appropriated to the  
2 Sterck School shall be utilized solely for the planning, design and construction of the replacement facility.  
3 Further, it is the intent of the General Assembly that the new Sterck School be constructed on State of  
4 Delaware-owned land along Chestnut Hill Road (Tax Parcels 09-028.00-001, 09-028.00-002 and 09-  
5 022.00-118).

6 Section 130. School Construction Fund Transfers. Notwithstanding any law or other provision to  
7 the contrary, the Department of Education, with the approval of the Director of the Office of Management  
8 and Budget and Controller General, may transfer funding between major capital construction projects  
9 within the respective school districts. These transfers shall not authorize any changes in conditions or incur  
10 any obligations in excess of the approved Certificate(s) of Necessity.

11 Section 131. School District Financial Reviews. It is the intent of the General Assembly that for  
12 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district  
13 financial position report as required under 14 Del. C. §1507 demonstrate less than one month of carryover,  
14 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its  
15 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the  
16 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the  
17 school district's capital construction program.

18 Section 132. School Construction Contractual Documents. Effective January 1, 2007, all school  
19 districts that receive State funds for major capital construction projects shall use standard bid and contract  
20 documents developed by the Office of Management and Budget, Facilities Management. School districts  
21 may enhance the standard bid and contract documents with additional contractual or project-specific  
22 requirements as long as the enhancements do not diminish and are not in conflict with the provisions of the  
23 standard documents. The Department of Education, in consultation with the Office of Management and  
24 Budget, Facilities Management, shall approve any modifications or changes to the provisions of the  
25 standard bid and contract documents before a school district may use or enhance the modified documents.



1           Section 133. Brandywine School District Space Consolidation and Grade Reconfiguration. The  
2 Section 1 Addendum to 76 Del. Laws c. 79 appropriates \$1,600,000 to the Department of Education in  
3 planning money for the renovation of Hanby Middle School in the Brandywine School District and further  
4 authorized a local match share of \$1,066,700. In light of declining enrollment and to avoid increasing  
5 operating costs, the District has decided to close the Hanby Middle School and has realigned the feeder  
6 pattern for its remaining schools. The closure of the Hanby Middle School will allow the District to forego  
7 the \$13,134,014 in state share and \$8,756,009 in local match share that would have been required to  
8 renovate the school. In lieu of renovating the Hanby Middle School, the Brandywine School District is  
9 hereby authorized to use the planning funds previously authorized to demolish the Hanby Middle School  
10 and for other costs associated with the District’s Space Consolidation and Grade Reconfiguration Plan  
11 approved by the Brandywine School District Board of Education on February 25, 2008. Approval is also  
12 hereby given to construct the Brandywood Elementary School, approved on C.N. # 0631B, on the site of  
13 Hanby Middle School and to complete the renovations of P.S du Pont, on C.N. # 0631C, as a Middle  
14 School.

15           Notwithstanding any other state law or regulation to the contrary, the district is authorized to  
16 transfer funds with the approval of the Director of the Office of Management and Budget and Controller  
17 General across any of the approved Certificates of Necessity C.N. # 0631A-I to meet costs associated with  
18 the transition to new grade configurations and to utilize such funds for expenses required to reconfigure  
19 grade levels at Harlan Elementary School and Claymont Elementary School.

20           The Brandywine School District shall not be authorized to incur any obligation in excess of the  
21 amounts listed on Certificates of Necessity #0631A-I.

22           Section 134. Milford School District – Access Road. To insure that property owned by the Milford  
23 School District is used in accordance with the priorities established by the Milford School District Board of  
24 Education, no state agency or municipality shall use said district property for any type of additional access  
25 road without the approval of the Milford School District Board of Education. If the Milford School District  
26 Board of Education does not publicly endorse, by affirmative vote, the placement of an additional access

1 road on district property, no state agency or municipality shall be authorized to condemn such district  
2 property for said use.

3 Section 135. Brandywine School District Conveyances. (a) The General Assembly hereby  
4 determines that it is in the public interest to reclaim a portion of the 13.97 acre parcel of land at 500 Duncan  
5 Road, Wilmington, DE 19809 (New Castle County tax parcel ID number 06-132.00-188) (the “Duncan  
6 Road Parcel”) held in a governmental capacity by the Brandywine School District in order for the State of  
7 Delaware to convey to the Edgemoor Community Center, Inc. (“ECC”), a not for profit corporation of the  
8 State of Delaware, an approximately 3.2 acre portion of said parcel (the “ECC Parcel”). ECC has provided  
9 vital services to the citizens of Delaware since 1978, and has occupied the ECC Parcel exclusively since  
10 1989. The General Assembly recognizes that as a titled owner of the ECC Parcel, ECC will be better able  
11 to serve the citizens of Delaware and be better positioned to receive grants, including facilities improvement  
12 grants. In addition, as a titled holder, ECC may immediately be able to lower its operational costs as it will  
13 be able to renegotiate as a secured property holder outstanding debt currently being financed at unsecured  
14 debtor rates.

15 The Duncan Road Parcel is hereby divided and title to the ECC Parcel is hereby conveyed to ECC,  
16 with the buildings thereon erected, being bounded and described as follows to-wit:

17 BEGINNING at a point formed by the intersection of the Southwesterly side of Duncan Road (60  
18 feet wide) with the Northwesterly side of Brandywine Boulevard (67.5 feet wide):

19 Thence, from said Point of Beginning the following thirty-three courses and distances:

- 20 (1) With the aforesaid side of Brandywine Boulevard this and the next three courses and  
21 distances, South 42 degrees, 58 minutes, 38 seconds West, 364.88 feet to a point of  
22 curvature, thence;
- 23 (2) By an arc curving to the right having a radius of 666.30 feet, an arc distance of 155.22 feet  
24 (CHD=South 49 degrees, 39 minutes, 04 seconds West, 154.87 feet) to a point of tangency,  
25 thence;
- 26 (3) South 56 degrees, 19 minutes, 30 seconds West, 24.56 feet to a point in line of Tax Parcel  
27 No. 06-132.00-188, thence, through the aforesaid tax parcel the following twenty-seven  
28 courses and distances, and also parallel to the proposed curb the next four courses and  
29 distances;
- 30 (4) By an arc curving to the right having a radius of 18.00 feet, an arc distance of 9.97 feet

- 1 (CHD=North 49 degrees, 32 minutes, 37 seconds West, 9.84 feet) to a point, thence;
- 2 (5) North 33 degrees, 40 minutes, 30 seconds West, 59.06 feet to a point of curvature, thence;
- 3 (6) By an arc curving to the left having a radius of 126.00 feet, an arc distance of 89.83 feet  
4 (CHD=North 54 degrees, 05 minutes, 57 seconds West, 87.94 feet) to a point of tangency,  
5 thence;
- 6 (7) North 74 degrees, 31 minutes, 23 seconds West, 24.34 feet to a point, thence through the  
7 existing baseball field;
- 8 (8) North 36 degrees, 43 minutes, 40 seconds East, 199.57 to a point behind the proposed curb,  
9 thence, parallel with same the next two courses an distances;
- 10 (9) South 53 degrees, 56 minutes, 32 seconds East, 69.07 feet to an point, thence crossing the  
11 proposed lane;
- 12 (10) North 35 degrees, 57 minutes, 46 seconds East, 27.99 feet to a point behind the existing  
13 curb, thence parallel to the aforesaid existing curb;
- 14 (11) North 53 degrees, 35 minutes, 55 seconds West, 80.57 feet to a point of curvature, thence;
- 15 (12) By an arc curving to the right having a radius of 70.00 feet, an arc distance of 20.54 feet  
16 (CHD=North 45 degrees, 11 minutes, 30 seconds West, 20.47 feet) to a point of tangency,  
17 thence;
- 18 (13) North 36 degrees, 47 minutes, 06 seconds West, 14.08 feet to a point of curvature, thence;
- 19 (14) By an arc curving to the left having a radius of 12.50 feet, an arc distance of 3.46 feet  
20 (CHD=North 44 degrees, 42 minutes, 59 seconds West, 3.45 feet) to a point of tangency,  
21 thence;
- 22 (15) North 52 degrees, 38 minutes, 53 seconds West, 9.04 feet to a point, thence;
- 23 (16) North 46 degrees, 44 minutes, 48 seconds West, 4.76 feet to a point, thence;
- 24 (17) North 54 degrees, 03 minutes, 32 seconds West, 20.41 feet to a point, thence;
- 25 (18) North 25 degrees, 50 minutes, 17 seconds East, 14.16 feet to a corner of an existing loading  
26 dock, thence;
- 27 (19) North 28 degrees, 53 minutes, 25 seconds East, 16.46 feet to a point, thence;
- 28 (20) North 34 degrees, 57 minutes, 29 seconds East, 9.27 feet to a point on the exterior building  
29 wall, thence through the existing wall;
- 30 (21) South 59 degrees, 52 minutes, 12 seconds East, 4.22 feet to a point in the center of a new  
31 division wall, thence, with same;
- 32 (22) North 35 degrees, 34 minutes, 51 seconds East, 17.34 feet to a point on the face of an  
33 existing hallway wall, thence;
- 34 (23) South 63 degrees, 46 minutes, 07 seconds East, 1.45 feet to a point on the roof overhang  
35 and the edge of an interior courtyard, thence, with same the next two courses and distances;
- 36 (24) North 35 degrees, 50 minutes, 53 seconds East, 95.51 feet to a point, thence;
- 37 (25) South 54 degrees, 48 minutes, 34 seconds East, 6.12 feet to a point in line of a new  
38 doorway threshold, thence, with same;
- 39 (26) North 36 degrees, 03 minutes, 21 seconds East, 23.61 feet to a point in line of a retaining  
40 wall, thence , with same the next four courses and distances;

- 1 (27) North 53 degrees, 42 minutes, 38 seconds West, 2.07 feet to a point, thence;
- 2 (28) North 35 degrees, 19 minutes, 14 seconds East, 31.69 feet to a point, thence;
- 3 (29) North 54 degrees, 45 minutes, 19 seconds West, 2.47 feet to a point, thence;
- 4 (30) North 35 degrees, 48 minutes, 20 seconds East, 40.90 feet to a point along the existing back
- 5 of curb, thence, parallel with same the next two courses and distances;
- 6 (31) By an arc curving to the left having a radius of 52.00 feet, an arc distance of 25.11 feet
- 7 (CHD=North 50 degrees, 07 minutes, 28 seconds East, 24.87 feet) to a point of tangency,
- 8 thence;
- 9 (32) North 35 degrees, 55 minutes, 26 seconds East, 12.54 feet to a point on the aforesaid side
- 10 of Brandywine Boulevard, thence, with same;
- 11 (33) South 54 degrees, 04 minutes, 34 seconds East, 337.87 feet to the Point of Beginning.

12 Containing within said metes and bounds 3.2197 acres of land, be they the same, more or less.

13 Such description of the ECC Parcel shall remain binding and effective unless ECC and Brandywine  
14 School District agree in writing to modify such description on or before September 30, 2010.

15 This conveyance shall be "as is" in that ECC shall accept any buildings erected on the parcel in  
16 their present condition as of the time of conveyance, and shall be subject to all other covenants, conditions,  
17 restrictions and easements of record, this reference to which shall not be construed to reimpose the same.  
18 The Brandywine School District and ECC shall also negotiate in good faith to agree on mutually acceptable  
19 easements and agreements to address issues including cross access, maintenance, and shared use of  
20 property. Such easements or agreements shall guarantee to ECC continued water and sewer access at costs  
21 pro rated to ECC's usage of such water and sewer services, and shall guarantee ECC use of and access to  
22 any telephone, security alarm or other such ECC systems that remain on the Duncan Road Parcel but that  
23 are not conveyed with the ECC Parcel.

24 All agencies reviewing the Minor Land Development Plan for the expansion of administrative  
25 offices at the Duncan Road Parcel (New Castle County Application No. 2010-0235) shall review the plans  
26 as the property existed prior to the subdivision of the property as directed herein. In addition, the Delaware  
27 Department of Transportation shall grant a time extension of a maximum of twelve (12) months from the  
28 time of the issuance of a Certificate of Occupancy for the expansion of the administrative offices by New

1 Castle County to complete the pedestrian improvements required by the Delaware Department of  
2 Transportation within the public right-of-way for Duncan Road and Brandywine Boulevard.

3 Nothing in the subdivision of the Duncan Road Parcel shall prohibit the Brandywine School  
4 District from expending funds approved under C.N. # 0631 F on the ECC Parcel that are required to  
5 complete the relocation of its district office. ECC shall not be required to pay for any improvements to the  
6 Duncan Road Parcel, including the ECC Parcel, as a result of or relating to Brandywine School District's  
7 plans for the relocation of its district office.

8 (b) The General Assembly hereby determines that it is in the public interest to reclaim a portion of  
9 the 26.25 acre parcel of land at 3301 Green Street, Claymont, DE 19703 (New Castle County tax parcel ID  
10 number 06-071.00-106) held by the Brandywine School District in order for the State of Delaware to  
11 convey to the Brandywine Community Resource Council, Inc. ("BCRC"), a not for profit corporation of the  
12 State of Delaware that operates the Claymont Community Center, a portion of said parcel (the "CCC  
13 Parcel"). The General Assembly also hereby determines that it is in the public interest to reclaim the 0.38  
14 acre parcel, also at 3301 Green Street, Claymont, DE 19703 (New Castle County tax parcel ID number 06-  
15 084.00-009) (the "Second CCC Parcel"), in order for the State of Delaware to convey such parcel to BCRC.  
16 BCRC provides vital services to the citizens of Delaware and occupies the CCC Parcel and the Second  
17 CCC Parcel exclusively. The General Assembly recognizes that as a titled owner of the CCC Parcel and  
18 the Second CCC Parcel, BCRC will be better able to serve the citizens of Delaware and be better positioned  
19 to receive grants, including facilities improvement grants.

20 Brandywine School District is hereby authorized and directed to convey the CCC Parcel and the  
21 Second CCC Parcel to BCRC for the combined consideration of one dollar (\$1.00). The deed to the  
22 aforesaid real property shall contain a provision whereby the Brandywine School District shall have the  
23 right of first refusal to the property in the event that the BCRC wishes to vacate the property. If the BCRC  
24 vacates the property and the Brandywine School District does not exercise its right of first refusal, proceeds  
25 from the sale of said property shall be governed by the provisions 14 Del. C. §1057(a)(15).

1           These conveyances shall be "as is" in that BCRC shall accept any buildings erected on the parcels  
2 in their present condition as of the time of conveyance, and shall be subject to all other covenants,  
3 conditions, restrictions and easements of record, this reference to which shall not be construed to reimpose  
4 the same. The Brandywine School District and BCRC shall also negotiate in good faith to agree on  
5 mutually acceptable easements and agreements to address issues including cross access, maintenance, and  
6 shared use of property that BCRC and Brandywine School District deem necessary or appropriate.

7           Section 136. Bond Verification. All bonds issued, or herein before or herein authorized to be  
8 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

9           Section 137. Inconsistency. Insofar as the provisions of this Act are inconsistent with the  
10 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be  
11 controlling.

12           Section 138. Severability. If any section, part, phrase, or provision of this Act or the application  
13 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its  
14 operation to the section, part, phrase, provision, or application directly involved in the controversy in  
15 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder  
16 of this Act or the application thereof.

17           Section 139. Effective Date. This Act shall take effect in accordance with the provisions of State  
18 law.


### **SYNOPSIS**

This Bill is the Fiscal Year 2011 Bond and Capital Improvements Act.

## DEBT LIMIT STATEMENT FOR FISCAL YEAR 2011

This Debt Limit Statement is to be attached to the Fiscal Year 2011 Bond and Capital Improvement Act as required by 29 Del. C. §7422.

(1) <b>Estimated Net General Fund revenue</b> for the Fiscal year ending June 30, 2011 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year.		\$ <u>3,333.2 million</u>
(2) Multiply by 5%.	X	.05
(3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2011.		\$ 166.9 million
(4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit.		\$ <u>0 million</u>
(5) <b>AVAILABLE DEBT LIMIT</b> prior to appended legislation (Line 3 minus Line 4).		\$ 166.9 million
(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation.		\$ <u>0 million</u>
(7) <b>REMAINING DEBT LIMIT</b> (Line 5 minus Line 6).		\$ <u><u>166.9 million</u></u>

  
Thomas J. Cook  
June 29, 2010

**Delaware Department of Transportation**  
**FY2011 Capital Transportation Program**  
**Appendix A**  
**(in \$000's)**

	Other Funding	Federal Authorization	State Authorization	FY 2011 Authorization
<b>ROAD SYSTEM 7700</b>				
<b>A. Expressways</b>				
Glenville Subdivision Improvements	\$2,100.0			\$2,100.0
I295 Westbound from I-295 to US13			\$500.0	\$500.0
I-95 & US 202 Interchange		\$28,783.0	\$7,196.0	\$35,979.0
SR 1/I-95 Interchange		\$133,520.0		\$133,520.0
Interstate Maintenance		\$10,500.0	\$200.0	\$10,700.0
SR 141/I-95 Interchange		\$1,920.0	\$475.0	\$2,395.0
<b>Subtotal Expressways</b>	<b>\$2,100.0</b>	<b>\$174,723.0</b>	<b>\$8,371.0</b>	<b>\$185,194.0</b>
<b>B. Arterials</b>				
Boyd's Corner Intersection Improvements	\$130.4			\$130.4
SR 2, South Union Street from Railroad Bridge to Sycamore Street, Wilm		\$80.0		\$80.0
SR 9, Delaware Ave and Harmony Street Extension`			\$525.0	\$525.0
SR 9, Wilmington Rd, 3rd and 6th Street Intersections			\$50.2	\$50.2
US 13, Philadelphia Pike, Claymont Transportation Plan Implementation		\$240.0		\$240.0
US 301, Maryland State Line to SR 1	\$71,900.0	\$159,273.8		\$231,173.8
Washington Street, New Castle		\$220.0	\$55.0	\$275.0
SR 1 at NE Front Street		\$480.0	\$120.0	\$600.0
SR 1, Little Heaven Grade Separated		\$10,280.0		\$10,280.0
SR 1, South Frederica Grade Separated		\$3,760.0	\$689.4	\$4,449.4
SR 1, Bay Road/K19, Thompsonville		\$712.0		\$712.0
US 13 from South Court Street to Lookerman Street			\$100.0	\$100.0
Indian River Bridge and Area Improvements		\$17,290.0		\$17,290.0
SR 26, Detour Routes		\$8,600.0	\$2,066.5	\$10,666.5
US 13 Seaford Intersection Improvements		\$4,000.0		\$4,000.0
HSIP	\$500.0	\$15,714.0		\$16,214.0
<b>Subtotal Arterials</b>	<b>\$72,530.4</b>	<b>\$220,649.8</b>	<b>\$3,606.1</b>	<b>\$296,786.3</b>
<b>C. Collectors</b>				
N209, Grubb Road, SR 261, Foulk Road to SR 92, Naaman's Road, Ped Imp			\$100.0	\$100.0
Possum Park Road and Old Possum Park Road Intersection Improvements			\$268.0	\$268.0
Chesapeake and Delaware Canal Recreation Trail		\$1,203.9		\$1,203.9
Carter Road (K137), Sunnyside Road to Wheatley's Pond Road, Smyrna		\$6,044.0	\$1,511.0	\$7,555.0
<b>West Dover Connector</b>		\$2,520.0	\$11,817.0	\$14,337.0
Plantations Road Improvements, SR 24 to US 9			\$1,040.0	\$1,040.0
SR 54, Mainline Improvements		\$5,500.0		\$5,500.0
<b>Subtotal Collectors</b>	<b>\$0.0</b>	<b>\$15,267.9</b>	<b>\$14,736.0</b>	<b>\$30,003.9</b>
<b>D. Locals</b>				
Southern New Castle County Improvements	\$5,575.0		\$4,936.2	\$10,511.2
Westtown Transportation Improvements	\$1,350.0			\$1,350.0
Wilmington Signal Improvements	\$150.0	\$3,000.0		\$3,150.0
Recreational Trails	\$221.2	\$884.8		\$1,106.0
<b>Subtotal Locals</b>	<b>\$7,296.2</b>	<b>\$3,884.8</b>	<b>\$4,936.2</b>	<b>\$16,117.2</b>
<b>E. Bridges</b>				
Bridge Management Program		\$4,166.2		\$4,166.2
Bridge Preservation Program	\$6,812.0	\$9,120.8		\$15,932.8
<b>Subtotal Bridges</b>	<b>\$6,812.0</b>	<b>\$13,287.0</b>	<b>\$0.0</b>	<b>\$20,099.0</b>
<b>F. Other</b>				
Transportation Enhancements		\$5,205.4		\$5,205.4
Pavement and Rehabilitation		\$12,800.0	\$10,000.0	\$22,800.0
Materials & Minor Contracts			\$6,000.0	\$6,000.0
Signage and Pavement Markings		\$800.0		\$800.0
Rail Crossing Safety		\$1,167.5		\$1,167.5
Safety Improvement Program		\$2,450.0	\$72.5	\$2,522.5
Intersection Improvements	\$600.0	\$1,280.0	\$5,000.0	\$6,880.0
Aeronautics	\$1,925.0		\$3,138.7	\$5,063.7
Engineering & Contingency		\$200.0	\$30,131.2	\$30,331.2
Advanced Acquisition			\$1,400.0	\$1,400.0
<b>Subtotal Other</b>	<b>\$2,525.0</b>	<b>\$23,902.9</b>	<b>\$55,742.4</b>	<b>\$82,170.3</b>
<b>TOTAL ROAD SYSTEM</b>	<b>\$91,263.6</b>	<b>\$451,715.4</b>	<b>\$87,391.7</b>	<b>\$630,370.7</b>
<b>SUPPORT SYSTEM 7600</b>				
Planning	\$77.2	\$5,723.5	\$507.4	\$6,308.1
Information Technology		\$475.0	\$6,971.2	\$7,446.2
Heavy Equipment			\$5,200.0	\$5,200.0
Transportation Management Improvements	\$180.0	\$6,560.0	\$1,028.7	\$7,768.7
<b>TOTAL SUPPORT SYSTEM</b>	<b>\$257.2</b>	<b>\$12,758.5</b>	<b>\$13,707.3</b>	<b>\$26,723.0</b>



	Other Funding	Federal Authorization	State Authorization	FY 2011 Authorization
<b>TRANSIT SYSTEM 7300</b>				
Transit Facilities		\$15,778.0	\$141.3	\$15,919.3
Transit Vehicles	\$1,398.6	\$18,033.8	\$3,274.9	\$22,707.3
Rail Improvements, Third Track, Newark to Wilmington	\$592.0	\$8,240.0	\$7,000.0	\$15,832.0
Rail Improvements, Newark to Wilmington	\$6,152.2			\$6,152.2
<b>TOTAL TRANSIT SYSTEM</b>	<b>\$8,142.8</b>	<b>\$42,051.8</b>	<b>\$10,416.2</b>	<b>\$60,610.8</b>
<b>GRANTS AND ALLOCATIONS 5600</b>				
Municipal Street Aid			\$4,000.0	\$4,000.0
Community Transportation Fund			\$11,475.0	\$11,475.0
<b>TOTAL GRANTS AND ALLOCATIONS</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$15,475.0</b>	<b>\$15,475.0</b>
<b>SUB TOTAL</b>	<b>\$99,663.6</b>	<b>\$506,525.7</b>	<b>\$126,990.2</b>	<b>\$733,179.5</b>
DeAuthorizations			<b>-\$35,068.8</b>	
<b>GRAND TOTAL</b>			<b>\$91,921.4</b>	

**Appendix B**  
**FY11 Proposed Paving List**

ROAD#	ROUTE_DESCRIPTION	FROM-DESCRIPTION	TO_DESCRIPTION
FY11 Authorization Request			
2-00007	US 13 NB & SB	BRIDGE SOUTH OF WINNER FORD	RD 294 SCARBOROUGH RD
2-00008	RT 1, BAY RD	HMJ @ MILFORD NECK RD(K120)	HMJ @ FREDERICA, MURDERKILL BRIDGE
FY11 Authorization Request - Unfunded			
1-00237	LANCASTER PIKE NB & SB	RT 141 RD 271	CENTERVILLE RD (N272)
1-00328	POLLY DRUMMOND RD	RT 72 RD 11	RD 321 LINDEN HILL RD
1-00425	GREYLAG RD	RD 428 SHALLCROSS LAKE RD	US 13
1-00429	MARL PIT RD	RD 430 BRICK MILL RD	RD 39 US 301
1-00056	I-95 NB & SB	DELAWARE WELCOME CENTER	RT 7 LIMESTONE RD
1-00011	RT 2 NB & SB KIRKWOOD HWY	RT 7 LIMESTONE RD	ELSMERE VIADUCT
1-00024	MARKET ST/PHILADELPHIA PIKE	28TH STREET	I-495
2-00067	COURT ST	K24 SOUTH DUPONT HWY RT 13	K7 BAY RD US 113
3-00020	RT 20 HARDSCRABBLE RD	RD 432 GOVERNOR STOCKLEY RD	US 113
3-00246	SAVANNAH ROAD	ALBURY AVE/CEDAR ST	S244 WILSON RD
3-00326	STATE STREET (MILLSBORO)	RT 24	WELL ALLEY

**Appendix C**  
**F.Y 2011 Surface Treatment Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
3-00335A	ADAMS RD	S336 (PINEY NECK RD)	S335 (BUNTING RD)
1-00489	ALABAM RD	RD 468 MCQUAIL RD	RD 488 BRICK STORE LANDING RD
2-00262	AMSTERDAM RD	RD 57, DE 12	END OF FORWARD DIRECTION
3-00577	ANDERSON RD	S577 (MD LINE)	571 (ADAMSVILLE RD)
3-00282	ARABIAN ACRES RD	S18/9 (LEWES/GEORGETOWN HWY)	END
3-00455A	BAKERS RD	S66 (PEPPERBOX RD)	S455 (BRITTINGHAM RD)
2-00370	BARNEY JENKINS RD	RD 4, US 13-A	RD 24 S.B., US 13
1-00423	BAYVIEW RD	RD 422 ST. AUGUSTINE RD	END OF FORWARD DIRECTION
3-00371	BENNETT RD	52/17 (ROXANA RD)	S370 (DAISEY RD)
2-00448	BIG WOODS RD	SURFACE TYPE CHANGED FROM SURFACE TREATMENT TO	RD 325, BIG OAK RD
3-00509A	BLACK WATER BRANCH R	S509 (NORTH SPRINGFIELD RD)	S76 (DELMAR RD)
3-00505B	BLUEBIRD LANE	END	S505 (RIDER RD)
3-00323	BREASURE RD	S113 (DUPONT BLVD)	S321 (KRUGER RD)
3-00217	BRICK GRANARY RD	S216A (OLD RD)	END
3-00455	BRITTINGHAM RD	S455B (RUSSEL RD)	S64 (WHITESVILLE RD)
3-00421	CAREY'S CAMP RD	S24 (MILLSBORO HWY)	S431 (PARADISE RD)
3-00229B	CARPENTER RD	S227 HUMMINGBIRD RD)	S229 (SMITH RD)
2-00268	CEDAR GROVE CHURCH R	RD 57, DE 12	RD 110 SPECTRUM FARMS RD
1-00453	CEDAR SWAMP RD	RD 449 TAYLORS BRIDGE RD	END OF FORWARD DIRECTION
3-00232B	CEMETERY RD	S232 (PONDER RD)	END
3-00556	CHAPEL BRANCH RD	S536 (WOODLAND RD)	S547 (BOYCE RD)
3-00232A	CHURCH BRANCH RD	S232 (PONDER RD)	S38 (JEFFERSON RD)
3-00038	CODS RD	S224 (SLAUGHTER BEACH RD)	S39 (PRIME HOOK RD)
3-00628	COON DEN RD	S36 (SHAWNEE RD)	KENT COUNTY LINE
3-00308	CORDREY RD	S309 (WILLIAMS STREET RD)	S310 (STREETS RD)
3-00413B	COWHOUSE BRANCH RD	S26 (MILSBORO HWY)	S24 (LAUREL RD)
3-00636	CROOKED RD	S637 (NEAL RD)	S627 (HERRING BRANCH RD)
2-00215	DARLING FARM RD	RD 223 LUCKY DRIVE	RD 52 WESTVILLE RD
3-00234	DEEP BRANCH RD	S14/1 (COASTAL HWY)	S14/1 (COASTAL HWY)
3-00560	DEERFIELD RD	S18 (FEDERALSBURG HWY)	S562 (PROGRESS SCHOOL RD)
3-00411A	DELVERT'S STRIP RD	S411 (WILEY BRANCH RD)	S407 (HUDSON RD)
3-00337A	DICKINSON RD	S337 (HANDY RD)	S113 (DUPONT BLVD)
3-00495	DOGWOOD LANE	S492 (PORTSVILLE RD)	S493 (SHELL BRIDGE RD)
3-00570	DOUBLE FORK RD	S569 (WOODENHAWK RD)	S63 KCL
3-00234B	DRAPER RD	S22/5 (UNION STREET EXT)	S233 (REYNOLDS RD)
3-00354	DUKES RD	S54 (OMAR RD)	S382/20 (ARMORY RD)
1-00467	EAGLES NEST LANDING R	RD 465 EAGLES NEST LANDING RD	RD 468 MCQUAIL RD

**Appendix C**  
**F.Y 2011 Surface Treatment Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
3-00507	EAST CROSS RD	S76 (COLUMBIA RD)	END
3-00452	EAST SNAKE RD	S13 (SUSSEX HWY)	S68 (OLD STAGE RD)
2-00266	EDWARDSVILLE RD	RD 57, DE 12	RD 110 SPECTRUM FARMS RD
2-00257	EQUITATION LA	RD 256 SANDTOWN RD	RD 258 JUMP SCHOOL HOUSE RD
3-00531	ESKRIDGE RD	S532 (CAMP RD)	S533 (SANFILLIPO RD)
2-00237	FENCEPOST LANE	RD 238 RURITAN LANE	RD 236 OLIN DILL RD
3-00334A	FIRETOWER RD	S334/20 (DAGSBOROW RD)	S431 (IRON BRANCH RD)
3-00484	FLEETWOOD POND RD	S20 (CONCORD RD)	S46 (OLD FURNISH RD)
3-00292	FOREST RD	S22/5 (HARBESON RD)	S290 (COOL SPRINGS RD)
3-00306A	FRIENDSHIP RD	S307 (CANNON RD)	S22/5 (INDIAN MISSION RD)
1-00490	GARDNER RD	RD 30 PADDOCK RD	RD 45 WALKER SCHOOL RD
3-00410	GODWIN SCHOOL RD	S26 (NINE FOOT RD)	S20/24 (MILSBORO HWY)
3-00410	GODWIN SCHOOL RD	S328A (GODWIN SCHOOL RD)	S20 (HARDSCRABBLE RD)
3-00427	GORDY RD	S428 (KINGS CROSSING RD)	S64 (WHITESVILLE RD)
3-00432	GOV. STOCKLY RD	S48 ( ZOAR RD)	S318 (PATRIOTS WAY)
3-00527	GRAVELLY BRANCH RD	S526 (HASTINGS FARM RD)	S579 (STATE FOREST RD)
2-00319	GRAVESEND RD	RD 9, DE 6	RD 318, RD 82
1-00051	GUM BUSH RD	RD 495 ANCHOR INN RD	RD 45 WALKER SCHOOL RD
3-00392	GUM RD	S376 (PEPPER RD)	S375 (SHOCKLY TOWN RD)
3-00499	HASTINGS DRIVE	S13 (BISTATE BLVD)	S24 (SHARPTOWN RD)
3-00526	HASTINGS FARM RD	S525 (CONCORD RD)	S529 (COKESBURY RD)
3-00596	HAVEN RD	S40 (REDDEN RD)	S594 (OAK RD)
2-00273	HAYFIELD RD	RD 271 SUGAR STICK RD	RD 57, DE 12
3-00544B	HEARNS MILL RD	S544 (HEARNS POND RD)	TO END OF FORWARD
3-00486A	HENRY DR	S20 (CONCORD RD)	S486 (HENRY DR)
3-00559	HENSLEY RD	S557 (BRIARHOOK RD)	S554 (HILL RD)
3-00627	HERRING BRANCH RD	S215 (SLAUGHTER NECK RD)	S224 (HAVEN RD)
2-00245	HIGH ST	RD 57, DE 12, MAIN ST	RD 243, WALNUT ST
3-00554	HILL RD	S553 (NEALS SCHOOL RD)	S30 (ATLANTA RD)
2-00058	HILLS MARKET ROAD	RD 57, DE 12	RD 281 HOPKINS CEMETERY RD
3-00386	HOLLY BRANCH RD	S58/54 (LIGHTHOUSE RD)	(TOWN LIMITS)
2-00256	HOLLY SPRING RD	RD 110 SPECTRUM FARMS RD	RD 53, DE 10
3-00346	HOLTS LANDING RD	S347 (WHITESNECK RD)	TO END OF FORWARD
3-00370B	HONEY SUCKLE RD	S381A (WILGUS CEMETERY RD)	S370 (DAISEY RD)
3-00227	HUMMINGBIRD RD	S229 (SMITH RD)	S230/30 (ISAACS RD)
3-00376A	JAY PATCH RD	S376 (PEPPER RD)	TO END OF FORWARD
3-00234C	JEFFERSON RD	S16 (BROADKILL RD)	END

**Appendix C**  
**F.Y 2011 Surface Treatment Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
2-00264	JOHN HURD RD	RD 57, DE 12	RD 110 SPECTRUM FARMS RD
3-00626	JOHNSON BRANCH RD	S594 (WEBB FARM RD)	S36 (SHAWNEE RD)
3-00234A	LANK RD	S14/1 (COASTAL HWY)	S16 (BROADKILL RD)
3-00296	LAWSON RD	S297 (MT JOY RD)	S48 (ZOAR RD)
3-00354A	LECATES RD	354 (DUKES RD)	S382/20 (ARMORY RD)
2-00082	LIGHTHOUSE RD	RD 317 SHORTS LANDING RD	RD 320, DE 9
2-00321	LIGHTHOUSE RD	RD 320, DE 9	END OF FORWARD DIRECTION
3-00456	LINE CHURCH RD	S419 (LINE RD)	S64 (WHITESVILLE RD)
3-00422	LITTLE HILL RD	S427 (WEST RD)	S62 (WHALEY'S RD)
3-00459	LITTLE LANE	S62 (WHALEYS RD)	END
2-00362	LOCUST GROVE RD	RD 27, U.S. 113-A	RD 26 SORGHUM MILL RD
3-00598	LONGBRANCH RD	S611 (SHARPSMILL RD)	S600 (FAWN RD)
2-00255	LORDS CORNER RD	RD 256 SANDTOWN RD	END OF FORWARD DIRECTION
3-00204A	MARINA LANE	S204 (BAY AVE)	END
3-00521	MARSH RD	S18/404 (SEASHORE HWY)	END
3-00289	MARSHTOWN RD	S24 (JOHN J. WILLIAMS HWY)	S279 (CAMP ARROWHEAD RD)
3-00291	MARTINS FARM RD	S22/5 (HARBESON RD)	S262 (FISHER RD)
3-00201	McCOLLEY RD	S236 (CEDAR BEACH RD)	END
3-00113A	MCCOLLEYS CHAPEL RD	113 (DUPONT BLVD)	S40 (REDEN RD)
1-00468	MCQUAIL RD	RD 30 PADDOCK RD	RD 467 EAGLES NEST LANDING RD
2-00368	MILLCHOP LA	RD 105, PEACHTREE RD	RD 367 BRIARBUSH RD
3-00431A	MISSION RD	S24 (MILLSBORO HWY)	S410 (REVEL RD)
3-00407	MOLLY FIELD RD	S408 (INDIAN TOWN RD)	S113 (DUPONT BLVD)
2-00409	NEW WHARF RD	SURFACE TYPE CHANGED FROM HM TO SURFACE TREATME	RD 8 N.B., DE 1
3-00367	OLD CHURCH RD	S84 (CENTRAL AVE)	S363 (DOUBLE BRIDGE RD)
3-00497	OLD HICKORY RD	S494 (AIRPORT RD)	S495 (DOGWOOD LANE)
2-00274	PARK BROWN RD	RD 57 DE 12	RD 271 SUGAR STICK RD
2-00275	PARK BROWN RD	RD 271 SUGAR STICK RD	RD 279 PINEPITCH RD
3-00255	PETTYJOHN RD	S248/30 (GRAVEL HILL RD)	S22/5 (HARBESON RD)
3-00412A	PHILLIPS DITCH RD	S472 (PHILLIPS HILL RD)	S412 (LAKE VIEW RD)
3-00232	PONDER RD	S232B (CEMETERY RD)	S38 (JEFFERSON RD)
2-00089	PORT MAHON RD	RD 16, DE 9	BUSINESS ENTRANCE - JENKINS WHARF
3-00517	RACCOON DITCH RD	S522A (RACCOON DITCH RD)	S446 (ASBURY RD)
2-00423	REYNOLDS RD	RD 8 N.B., US 113	RD 120 MILFORD NECK RD
3-00505	RIDER RD	S24 (SHARPTOWN RD)	S509 (SUSAN BEACH RD)
3-00292A	RUST RD	S22/5 (HARBESON RD)	S292 (ANDERSON CORNER RD)
3-00437	SAMUEL HILL RD	S24 (LAUREL RD)	S62 (EAST TRAP POND RD)

**Appendix C**  
**F.Y 2011 Surface Treatment Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
3-00417A	SANDHILL LANE	S417 (DAISY RD)	END
2-00215	SANDY BEND RD	RD 224 PARKERS CHAPEL RD	RD 222 SANDY BEND RD
1-00454	SAW MILL BRANCH RD	RD 449 FLEMINGS LANDING RD	RD 45 WALKER SCHOOL RD
3-00238	SAW MILL RD	S579 (EAST ROBBINS RD)	S16 (MILTON/ELLENDALE HWY)
3-00213B	SHERMAN AVE	S213 (N. OLD STATE RD)	S38B (FRONT ST)
3-00506	SHOCKLEY RD	S505 (RIDER RD)	S498 (ELLIS GROVE RD)
3-00457	SMITH MILL CHURCH RD	S454 (OAK BRANCH RD)	S64 (WHITESVILLE RD)
2-00044A	SPENCER DR	RD 44, DE 42	RD 44, DE 42
3-00579	STATE FOREST RD	S18 (SEASHORE HWY)	S40 (REDDEN RD)
1-00450	STAVES LANDING RD	RD 449 TAYLORS BRIDGE RD	END OF FORWARD DIRECTION
3-00303A	STEVENSON RD	S303 (TOWNSEND RD)	S22/5 (INDIAN MISSION RD)
3-00393	STUMP CREEK RD	S343 (WINDGATE RD)	TO END OF FORWARD DIRECTION
3-00441	SUBSTATION RD	S24 (LAUREL RD)	S439 (ENGLISH RD)
3-00213A	SUSQUEHANNA AVE	S213 (N. OLD STATE RD)	S38B (FRONT ST)
3-00342A	SUSSEX RD	S342 (SANDY LANDING RD)	TO END OF FORWARD
3-00240A	THICKET RD	S241 (BURTON RD)	S238 (SAW MILL RD)
2-00114	TODDS CHAPEL RD	RD 63, DE 16	RD 60, DE 14
3-00303	TOWNSEND RD	S304 (MARYLAND CAMP RD)	S306 (HARMONY CEMETERY RD)
3-00299A	TRINITY RD	S299 (TRINITY RD)	END
3-00604	TRUITT RD	S42 (SOUTH UNION CHURCH RD)	S16 (ELLENDALE GREENWOOD HWY)
2-00119	TUB MILL POND RD	RD 8 S.B., U.S. 113	RD 8 S.B. US 113
3-00597	TUCKERS RD	S600 (FAWN RD)	S611 (SHARPSMILL RD)
3-00588	UNIVERSITY RD	S16 (HICKMAN RD)	S589 (GREENWOOD RD)
2-00163	VICTORY CHAPEL RD	RD 51, DE 8	RD 100 W.DENNYS RD
3-00212B	WALLS RD	S212A (CEDAR CREEK RD)	S22/5 (UNION STREET EXT)
3-00594	WEBB FARM RD	S626 (APPEL'S RD)	S42 (N. UNION CHURCH RD)
3-00277B	WEBB'S LANDING RD	S277 (ROBINSVILLE RD)	END
3-00043	WEBBS RD	S16 (ELLENDALE/GREENWOOD HWY)	S42 (N. UNION CHURCH RD)
3-00417B	WELLS RD	S417 (DAISY RD)	END
2-00002A	WEST BIG WOODS RD	RD 2 N.B., U.S. 13	END OF FORWARD DIRECTION
3-00623	WEST HUDSON POND RD	S42 (N. UNION CHURCH RD)	S113 DUPONT BLVD
3-00551	WILD TURKEY RD	S549 (N.OAK GROVE RD)	S553 (NEALS SCHOOL RD)
3-00411	WILEY BRANCH RD	S410 (REVEL RD)	S407 (HUDSON RD)
3-00438	WOMACH RD	S437 (SAMUEL HILL RD)	S472 (PHILLIPS HILL RD)
3-00569	WOODENHAWK RD	S578 (SHIRLYS RD)	S34 (BLANCHARD RD)
3-00612	WOODYARD RD	S13/4 (SUSSEX HWY)	KENT COUNTY LINE

**Appendix D**  
**FY11 Conversion Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
3-00368	BEAVER DAM RD	S365 (PEPPER RD)	S84 (CENTRAL AVE)
3-00353	BURBAGE RD	S54 (OMAR RD)	S365 (POWELL FARM RD)
3-00532	CAMP RD	S3 NB (SUSSEX HWY)	S18 (CANNON RD)
3-00532	CAMP RD	S18 (CANNON RD)	S4 NB (SUSSEX HWY)
3-00465A	CHRIST CHURCH RD	S24 (LAUREL RD)	S465 (CHIPMANS POND RD)
3-00285B	CHURCH ST	S285 (BEAVER DAM RD)	S18 (LEWES GEORGETOWN HWY)
3-00214	CUBBAGE POND RD	NORTH BRIDGE APPROACH	S207 (JOHNSON RD)
3-00329	EAST PINEY GROVE RD	S432 (GOV STOCKLEY RD)	S113 (DUPONT BLVD)
3-00412	LAKEVIEW RD	S410 (REVEL RD)	S433 (COUNTRY LIVING RD)
3-00039	PRIMEHOOK RD	HM JOINT 0.95 MILES EAST OF RD 38 CODS RD	50' PAST S39A (WILKERSON RD)
3-00451	SALT BARN RD	S13 (BISTATE BLVD)	S1/RT13 (SUSSEX HWY)
3-00366	SUBSTATION RD	S84 (CENTRAL AVE)	S368 (BEAVER DAM RD)
3-00062	WHALEYS RD	S428 (KINGS CROSSING RD)	S421 (CAREYS CAMP RD)
3-00062	WHALEYS RD	S421 (CAREYS CAMP RD)	S24/RT24 (LAUREL RD)
3-00288	WIL KING RD	S280B (CONLEYS CHAPEL RD)	S287 (KENDALE RD)

**Appendix E**  
**FY 2011 Microsurface Road Locations**

ROAD NUMBER	ROAD NAME	FROM DESCRIPTION	THRU DESCRIPTION
2-00046	AUTHURSVILLE RD	RD 48 MAIN ST	RD 41 SUDLERSVILLE RD
2-00047	AUTHURSVILLE RD	MD LINE	RD 48 MAIN ST
2-00107	BARKERS LANDING RD	RD 27, U.S. 113-A	RD 364 PONDEROSA DRIVE
1-00423	BAYVIEW RD	US 13	SR 9
1-00221	BEAVER DAM RD	US 202 RD 4 CONCORD PIKE	RD 225 THOMPSON BRIDGE RD
2-00353	BEECHWOOD AVE	RD 27 SOUTH STATE ST	RD 351 NILE RD
2-00044	BLACKISTON RD	RD 39 MILLINGTON RD	COOPER ST
1-00430	BRICK MILL RD	SR 299	RD 429 MARL PIT RD
3-00016	BROADKILL RD	RD 14/RT 1 COASTAL HWY	END OF FORWARD DIRECTION
1-00025	CALDWELL CORNER RD	MD LINE	MEADOW VISTA DRIVE
1-00396	DENNY RD	RD 391 FRAZIER RD	SR 896
2-00125	DUNDEE RD	RD 54 DE 10-A	RD 53 DE 10
2-00331	DYKE BRANCH RD	RD 330, EAST DENNYS RD	RD 15, DE 9
3-00413	FIREMANS RD	RD 419 BETHEL RD	RD 417 DAISEY RD
1-00391	FRAZIER RD	RD 396 DENNY RD	MCDANIEL LANE
3-00267	GILLS NECK RD	RD 268 KINGS HWY	HAWKS EYE DEVELOPMENT
1-00264	HILLSIDE RD	RD 273 CENTERVILLE RD	RD 9 KENNETT PIKE
2-00142	HOPEWELL DR	RD 140 CHANCE RD	RD 94 UNDERWOODS CORNER RD
2-00103	HOURLGLASS RD	RD 50 HALLTOWN RD	RD 47, DE 11
3-00258	HUDSON RD	RD 18 LEWES-GEORGETOWN HWY	RD 14/RT 1 COASTAL HWY
2-00104	KENTON RD	RD 158 CHESTNUT GROVE RD	RD 45, DE 42
1-00409	KIRKWOOD-ST. GEORGES RD	SR 1	RT 71
2-00143	LION HOPE RD	RD 41 DE 300	RD 95 DOWNS CHAPEL RD
2-00341	LONG POINT RD	RD 16 DE 8	PAVEMENT JOINT
1-00429	MARL PIT RD	US 13	RD 430 BRICK MILL RD
1-00470	MASSEY CHURCH RD	VANDYKE GREENSPRING RD	RD 455 BLACK DIAMOND RD
1-00280A	MCKENNANS CHURCH RD	RD 276 MCKENNANS CHURCH RD	RD 31 LIMESTONE RD
1-00232	MONTCHANIN RD	RD 221 SMITH BRIDGE RD	END OF FORWARD DIRECTION
2-00355	NORTH OLD MILL RD	RD 356 E.B., DE 10, LEBANON RD	RD 27, U.S. 113-A
1-00026	OLD BALTIMORE PIKE	OTTS CHAPEL RD (396)	RT 896
1-00319	OLD CHURCHMANS RD	AIRPORT RD	END
1-00255	OLD PUBLIC RD	CUL DE SAC	RD 253 BENGE RD
1-00063	OLD SUMMIT BRIDGE RD	SR 896	END
3-00318	PATRIOTS WAY	RD 86 AVENUE OF HONOR	RD 48 ZOAR RD
2-00337	PERSIMMON TREE LN	RD 88 LEIPSIC RD	RD 15 DE 9
1-00316	PIKE CREEK RD	RD 322 UPPER PIKE CREEK RD	RD 11 KIRKWOOD HWY
1-00250	POLISH ROW RD	RD 247 SNUFF MILL RD	RD 247 SNUFF MILL RD



**Appendix E**  
**FY 2011 Microsurface Road Locations**

1-00263	ROLLING MILL RD	RD 237 LANCASTER PIKE	RD 259 BARLEY MILL RD
2-00022	RT 14 MILFORD	RD 8 RT 113	RD 21 NORTH REHOBOTH BLVD
1-00261	RT 82	SHARPLESS RD	SNUFF MILL RD/YORKLYN
2-00238	RURITAN LA	TOWN LIMITS CHANGE - EAST VIOLA	RD 32 EVENS RD
1-00251	SHARPLESS RD	RD 275 OLD WILMINGTON RD	RD 261 MOUNT CUBA RD
1-00244	SNUFF MILL RD	RD 243 OLD KENNETT RD	RD 9 KENNETT PIKE
1-00247	SNUFF MILL RD	RD 261 MOUNT CUBA RD	RD 243 OLD KENNETT RD
2-00026	SORGHUM MILL RD	RD 362 LOCUST GROVE RD	RD 363 CYPRESS BRANCH RD
1-00225	THOMPSON BRIDGE RD	RD 232 MONTCHANIN RD	BRIDGE BRANDYWINE CREEK
1-00295	UPPER PIKE CREEK RD	RD 321 NEW LINDEN HILL RD	RD 13 PAPER MILL RD
1-00362	VALLEY RD	MD LINE	CHURCH RD
1-00241	WAY RD	RD 261 MOUNT CUBA RD	RED CLAY CREEK BRIDGE
2-00052	WESTVILLE RD	RD 205 BRYANTS CORNER RD	SOUTH MECHANICS ST
3-00062	WHALEYS RD	RD 24 LAUREL RD	RD 476 SYCAMORE RD