



SPONSOR: Rep. Keeley & Sen. Venables
Mulrooney Bunting
Schooley Hall-Long
Viola Sokola
Hudson Bonini
Lee Booth

HOUSE OF REPRESENTATIVES
146th GENERAL ASSEMBLY

HOUSE BILL NO. 410

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND BOND PREMIUMS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN 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 2013 Capital Improvements Project Schedule Addendum.** The General Assembly
2 hereby authorizes the following projects in the following amounts for the purposes set forth in this Section and as described
3 in the Fiscal Year ~~2012~~2013 Governor's Recommended Capital Budget and Project Information document. Any
4 authorization balance (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30,
5 ~~2014~~2015, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
OFFICE OF MANAGEMENT AND BUDGET						
Minor Capital Improvement and Equipment	10-02-50	\$ 3,777,950	\$ -	\$ -	\$ 105,000	\$ 3,882,950
Environmental Compliance (UST/Asbestos/Other)	10-02-50	-	-	-	340,300	340,300
Architectural Barrier Removal	10-02-50	-	-	-	150,000	150,000
New Troop 3 - Camden	10-02-50	6,594,600	-	-	-	6,594,600
Townsend Building Mechanical Repair and Renovation Project	10-02-50	3,344,000	-	-	-	3,344,000
New Troop 7 - Lewes	10-02-50	1,600,000	-	-	-	1,600,000
Technology Fund	10-02-05	-	502,952	-	700,000	1,202,952
Laurel School District Stabilization Fund	10-02-11	-	-	-	350,000	350,000
Local Law Enforcement	10-02-11	-	-	-	580,500	580,500
<i>Legislative Project</i>						
Legislative Hall HVAC/Technology Upgrades	10-02-50	2,000,000	-	-	-	2,000,000
<i>Judicial Project</i>						
Minor Capital Improvement and Equipment	10-02-50	350,000	-	-	-	350,000
<i>State Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	425,000	-	-	-	425,000
Minor Capital Improvement and Equipment - Veterans Home	10-02-50	-	-	-	50,050	50,050
<i>Health and Social Services Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	3,400,000	-	-	-	3,400,000
Roof Replacement	10-02-50	750,000	-	-	-	750,000
DACSES Replacement and Equipment	10-02-05	-	4,418,500	-	-	4,418,500
Medicaid Management Information System	10-02-05	-	2,965,500	-	-	2,965,500
<i>Services for Children, Youth and Their Families Projects</i>						
Family and Children Tracking System (FACTS) II	10-02-05	-	4,700,000	-	-	4,700,000
Minor Capital Improvement and Equipment	10-02-50	1,266,800	-	-	-	1,266,800

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
<i>Correction Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	3,183,250	-	-	-	3,183,250
HRYCI New Kitchen - Construction	10-02-50	4,598,000	5,252,000	-	-	9,850,000
<i>Safety and Homeland Security Project</i>						
Minor Capital Improvement and Equipment	10-02-50	400,000	-	-	-	400,000
<i>Delaware National Guard Project</i>						
Minor Capital Improvement and Equipment	10-02-50	850,000	-	-	-	850,000
Subtotal:		\$ 32,539,600	\$ 17,838,952	\$ -	\$ 2,275,850	\$ 52,654,402
DELAWARE ECONOMIC DEVELOPMENT OFFICE						
Delaware Strategic Fund	10-03-03	\$ -	\$ -	\$ -	\$ 30,032,102	\$ 30,032,102
Experimental Program to Stimulate Competitive Research (EPSCOR)	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
Fraunhofer Vaccine Development	10-03-03	-	-	-	1,000,000	1,000,000
Riverfront Development Corporation	10-03-03	-	-	-	3,150,000	3,150,000
Subtotal:		\$ -	\$ -	\$ -	\$ 36,182,102	\$ 36,182,102
DELAWARE STATE HOUSING AUTHORITY						
Housing Development Fund - Affordable Rental Housing Program	10-08-01	\$ 4,000,000	\$ -	\$ -	\$ -	\$ 4,000,000
Subtotal:		\$ 4,000,000	\$ -	\$ -	\$ -	\$ 4,000,000
STATE						
Museum Maintenance	20-06-01	\$ 350,000	\$ -	\$ -	\$ -	\$ 350,000
Wilmington Institute Public Library	20-08-01	1,500,000	-	-	-	1,500,000
Lewes Public Library	20-08-01	250,000	-	-	-	250,000

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
Duck Creek Regional Library - Smyrna	20-08-01	150,000	-	-	-	150,000
Delmar Public Library	20-08-01	325,000	-	-	-	325,000
Frankford Public Library	20-08-01	360,000	-	-	-	360,000
Route 9/13 Community Library	20-08-01	25,000	-	-	-	25,000
Subtotal:		\$ 2,960,000	\$ -	\$ -	\$ -	\$ 2,960,000
HEALTH AND SOCIAL SERVICES						
Maintenance and Restoration	35-01-30	\$ 2,750,000	\$ -	\$ -	\$ -	\$ 2,750,000
Subtotal:		\$ 2,750,000	\$ -	\$ -	\$ -	\$ 2,750,000
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES						
Maintenance and Restoration	37-01-15	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
Subtotal:		\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
CORRECTION						
Maintenance and Restoration	38-01-40	\$ 3,135,400	\$ -	\$ -	\$ -	\$ 3,135,400
Subtotal:		\$ 3,135,400	\$ -	\$ -	\$ -	\$ 3,135,400
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL						
Clean Water State Revolving Fund	40-01-06	\$ -	\$ -	\$ -	\$ 1,300,000	\$ 1,300,000
Conservation Cost Share	40-03-04	-	-	-	1,500,000	1,500,000
Cover Crops	40-03-04	-	-	-	425,004	425,004
Delaware Bayshore Initiative	40-01-01	-	-	-	500,000	500,000
Statewide Trails and Pathways	40-03-02	3,000,000	-	-	-	3,000,000
Critical Equipment for Operations	40-01-01	-	-	-	740,000	740,000

SECTION 1 ADDENDUM
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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
Tax Ditches	40-03-04	-	-	-	1,148,700	1,148,700
Dikes/Dams	40-03-04	2,500,000	-	-	-	2,500,000
Debris Pits	40-04-04	-	-	-	1,000,000	1,000,000
Dredging	40-03-04	-	-	-	627,000	627,000
Delaware Tidal Bay Monitoring	40-04-03	-	-	-	38,000	38,000
Park Facility Rehabilitation and Infrastructure	40-03-02	-	-	-	375,800	375,800
Redevelopment of Strategic Sites	40-03-02	2,000,000	125,000	-	50,000	2,175,000
Subtotal:		\$ 7,500,000	\$ 125,000	\$ -	\$ 7,704,504	\$ 15,329,504
SAFETY AND HOMELAND SECURITY						
Helicopter Lease/Payment	45-01-01	\$ -	\$ -	\$ -	\$ 3,646,948	\$ 3,646,948
Police Academy Addition	45-01-01	-	-	-	375,000	375,000
Wilmington Fire Department Equipment	45-01-01	-	-	-	615,400	615,400
Subtotal:		\$ -	\$ -	\$ -	\$ 4,637,348	\$ 4,637,348
TRANSPORTATION						
Road System	55-05-00	\$ -	\$ -	\$ 98,792,700	\$ -	\$ 98,792,700
Grants and Allocations	55-05-00	-	-	21,750,000	-	21,750,000
Transit System	55-05-00	-	-	13,340,700	-	13,340,700
Support System	55-05-00	-	-	39,613,200	-	39,613,200
Subtotal:		\$ -	\$ -	\$ 173,496,600	\$ -	\$ 173,496,600
AGRICULTURE						
Carvel Research	65-01-01	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
Subtotal:		\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
FIRE PREVENTION COMMISSION						
Air System	75-02-01	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
Rescue Tower	75-02-01	-	-	-	260,200	260,200
Hydraulic Rescue Tools Replacement and Equipment	75-02-01	-	-	-	62,500	62,500
Subtotal:		\$ -	\$ -	\$ -	\$ 422,700	\$ 422,700
NATIONAL GUARD						
New Dagsboro Readiness Center	76-01-01	\$ 2,500,000	\$ -	\$ -	\$ -	\$ 2,500,000
Subtotal:		\$ 2,500,000	\$ -	\$ -	\$ -	\$ 2,500,000
UNIVERSITY OF DELAWARE						
Laboratories	90-01-01	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
Subtotal:		\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
DELAWARE STATE UNIVERSITY						
Minor Capital Improvement and Equipment	90-03-01	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000
Convocation Center Feasibility Study	90-03-01	-	-	-	250,000	250,000
Subtotal:		\$ 3,000,000	\$ -	\$ -	\$ 250,000	\$ 3,250,000

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
DELAWARE TECHNICAL AND COMMUNITY COLLEGE						
Collegewide Asset Preservation/MCI	90-04-01	\$ 350,000	-	-	-	\$ 350,000
Excellence Through Technology	90-04-01	250,000	-	-	-	250,000
Campus Improvements - Owens Campus	90-04-02	750,000	-	-	-	750,000
Campus Improvements - Terry Campus	90-04-06	750,000	-	-	-	750,000
Campus Improvements - Stanton and Wilmington Campuses	90-04-05	1,000,000	-	-	-	1,000,000
Subtotal:		\$ 3,100,000	\$ -	\$ -	\$ -	\$ 3,100,000
EDUCATION						
Minor Capital Improvement and Equipment	95-01-01	\$ 10,343,800	-	-	-	\$ 10,343,800
Architectural Barrier Removal	95-01-01	160,000	-	-	-	160,000
Appoquinimink, Construct 840 Student ES - Odessa Campus (75/25)	95-29-00	621,800	-	-	-	621,800
Brandywine, Playground for Hanby/Bush (60/40)	95-31-00	75,000	-	-	-	75,000
Capital, Construct New 1,800 Student HS (70/30)	95-13-00	24,312,600	-	-	-	24,312,600
Laurel, Construct 1,400 Student Combined HS/MS (76/24)	95-16-00	21,331,300	-	-	-	21,331,300
Laurel, Construct 1,200 Student Combined ES (76/24)	95-16-00	6,629,100	-	-	-	6,629,100
Woodbridge, Construct 700 Student HS (72/28)	95-35-00	15,131,400	-	-	-	15,131,400
New Castle County VoTech, Renovate Howard HS (61/39)	95-38-00	4,401,300	-	-	-	4,401,300
Sussex Technical, Renovate HS Industrial Shops (60/40)	95-40-00	2,049,500	-	-	-	2,049,500
Sussex Technical, HS HVAC Renovations (60/40)	95-40-00	2,430,000	-	-	-	2,430,000
Polytech, Renovation/Additions to HS (75/25)	95-39-00	8,818,900	-	-	-	8,818,900
Seaford, Seaford Senior HS Addition (75/25)	95-23-00	16,405,000	-	-	-	16,405,000
Polytech, Renovate HS Supplemental (75/25)	95-39-00	391,900	-	-	-	391,900
Red Clay, Renovate A.I. DuPont HS (60/40)	95-32-00	1,318,700	-	-	-	1,318,700
Red Clay, Renovate Cab Calloway School of the Arts (60/40)	95-32-00	2,211,100	-	-	-	2,211,100

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FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUNDS	GENERAL FUNDS	TOTAL
Red Clay, Construct 600 Student ES (60/40)	95-32-00	1,170,300	-	-	-	1,170,300
Capital, Kent County Community School (100% State)	95-13-00	1,998,300	-	-	-	1,998,300
Subtotal:		\$ 119,800,000	\$ -	\$ -	\$ -	\$ 119,800,000
TWENTY-FIRST CENTURY FUND						
Drinking Water State Revolving Fund (DHSS)	25-01-01	\$ -	\$ -	\$ -	\$ 1,853,600	\$ 1,853,600
Subtotal:		\$ -	\$ -	\$ -	\$ 1,853,600	\$ 1,853,600
GRAND TOTAL:		\$ 184,485,000	\$ 17,963,952	\$ 173,496,600	\$ 53,426,104	\$ 429,371,656

Section 2. Authorization of Twenty-Year Bonds. The state hereby authorizes the issuance of bonds, to which the state shall pledge its full faith and credit, such bonds to be issued in such principal amount as necessary to provide proceeds to the state in the amount of ~~\$171,145,000~~ \$184,485,000 and in the amount of ~~\$35,922,454~~ \$42,863,100 local share of school bonds. Bonds authorized to be used by this Section shall mature not later than 20 years from their date of issuance. The proceeds of such bonds, except for local share of school bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act and summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of Management and Budget	\$52,425,800
Delaware Economic Development Office	8,000,000
Delaware State Housing Authority	4,000,000
State	6,800,000
Services for Children, Youth and Their Families	2,051,200
Natural Resources and Environmental Control	7,250,000
Fire Prevention Commission	1,300,000
National Guard	271,000
University of Delaware	3,500,000
Education	85,547,000

<u>Purpose</u>	<u>Maximum</u>		<u>Total Cost</u>
	<u>State Share</u>	<u>Local Share</u>	
Appoquinimink, Construct 840 Pupil ES— Odessa Campus (75/25)	\$10,932,600	\$3,644,200	\$14,576,800
Appoquinimink, Renovation/Addition to Appoquinimink ECC Kitchen (75/25)	232,500	77,500	310,000
Appoquinimink, Renovation/Addition to Olive B. Loss ES (75/25)	607,000	202,300	809,300
Capital, Construct New 1,800 Student HS (70/30)	27,813,700	11,920,200	39,733,900

		Maximum	
	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
1			
2	<u>Purpose</u>		
3	Capital, Renovate William Henry MS		
4	Campus Site (70/30)	2,396,600	1,027,100
5	Capital, Construct Playgrounds at		
6	BT Washington ES (70/30)	195,900	83,900
7	Capital, Construct/Renovate Athletic Fields at		
8	Central MS (70/30)	149,200	63,900
9	Seaford, Renovate Central ES,		
10	Roof Replacement (73/27)	801,300	296,400
11	Seaford, Renovate HS, ADA Accessibility		
12	Improvements (73/27)	233,100	86,200
13	Seaford, Renovate West ES, Roof Replacement (73/27)	860,600	318,300
14	Sussex Technical, Renovations to HS		
15	and Campus Site (60/40)	1,147,500	765,000
16	Laurel, Construct 1,400 Student		
17	Combined HS/MS (76/24)	10,665,600	3,368,100
18	Laurel, Land Acquisition 1,400 Student		
19	Combined HS/MS (76/24)	304,000	96,000
20	Woodbridge, Construct 700 Pupil HS (72/28)	7,565,700	2,942,200
21	Cape Henlopen, Roof/HVAC Renovate		
22	F. Thomas Bldg (100% State)	650,000	650,000
23	New Castle County VoTech,		
24	Renovate Howard HS (61/39)	8,802,700	5,628,000
25	New Castle County VoTech,		
26	Fit-out St. Georges HS Auditorium (61/39)	934,200	597,300
27	Sussex Technical, HS Site Renovations—		
28	Bus Entrance (60/40)	1,625,900	1,084,000
29	Sussex Technical, HS HVAC Renovations (60/40)	810,000	540,000
30	Polytech, Renovation/Additions to HS (75/25)	8,818,900	2,939,600
31	Smyrna Extraordinary Site Work Clayton IS (80/20)		242,254
32	Subtotal	\$85,547,000	\$35,922,454
33		TOTAL	<u>\$121,469,454</u>

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of Management and Budget	\$32,539,600
Delaware State Housing Authority	4,000,000
State	2,960,000
Health and Social Services	2,750,000
Services for Children, Youth and Their Families	200,000
Correction	3,135,400
Natural Resources and Environmental Control	7,500,000
National Guard	2,500,000
University of Delaware	3,000,000
Delaware State University	3,000,000
Delaware Technical and Community College	3,100,000
Education	119,800,000

<u>Purpose</u>	<u>State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
Minor Capital Improvement and Equipment	\$10,343,800		\$10,343,800
Architectural Barrier Removal	160,000		160,000
Appoquinimink, Construct 840 Student ES - Odessa Campus (75/25)	621,800	\$207,300	829,100
Brandywine, Playground for Hanby/Bush (60/40)	75,000	50,000	125,000
Capital, Construct New 1,800 Student HS (70/30)	24,312,600	10,419,700	34,732,300
Laurel, Construct 1,400 Student Combined HS/MS (76/24)	21,331,300	6,736,200	28,067,500
Laurel, Construct 1,200 Student Combined ES (76/24)	6,629,100	2,093,400	8,722,500
Woodbridge, Construct 700 Student HS (72/28)	15,131,400	5,884,400	21,015,800
New Castle County VoTech, Renovate Howard HS (61/39)	4,401,300	2,813,900	7,215,200

1	<u>Sussex Technical, Renovate HS Industrial Shops (60/40)</u>	<u>2,049,500</u>	<u>1,366,300</u>	<u>3,415,800</u>
2	<u>Sussex Technical, HS HVAC Renovations (60/40)</u>	<u>2,430,000</u>	<u>1,620,000</u>	<u>4,050,000</u>
3	<u>Polytech, Renovation/Additions to HS (75/25)</u>	<u>8,818,900</u>	<u>2,939,600</u>	<u>11,758,500</u>
4	<u>Seaford, Seaford Senior HS Addition (75/25)</u>	<u>16,405,000</u>	<u>5,468,300</u>	<u>21,873,300</u>
5	<u>Polytech, Renovate HS Supplemental (75/25)</u>	<u>391,900</u>	<u>130,700</u>	<u>522,600</u>
6	<u>Red Clay, Renovate A.I. DuPont HS (60/40)</u>	<u>1,318,700</u>	<u>879,100</u>	<u>2,197,800</u>
7	<u>Red Clay, Renovate Cab Calloway</u>			
8	<u>School for the Arts (60/40)</u>	<u>2,211,100</u>	<u>1,474,000</u>	<u>3,685,100</u>
9	<u>Red Clay, Construct 600 Student ES (60/40)</u>	<u>1,170,300</u>	<u>780,200</u>	<u>1,950,500</u>
10	<u>Capital, Kent County Community School (100% State)</u>	<u>1,998,300</u>		<u>1,998,300</u>
11	<u>Subtotal</u>	<u>\$119,800,000</u>	<u>\$42,863,100</u>	<u>\$162,663,100</u>
12			<u>TOTAL</u>	<u>\$184,485,000</u>

13 **Section 3. Appropriation of General Funds.** It is the intent of the General Assembly that
14 ~~\$115,311,700~~ \$51,572,504 be appropriated to the following departments of the State and in the following
15 amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended
16 or unencumbered by June 30, ~~2014~~ 2015 , shall revert to the General Fund of the State of Delaware.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of Management and Budget	\$27,619,600
Delaware Economic Development Office	41,841,100
Delaware State Housing Authority	2,115,600
State	375,000
Finance	12,000,000
Health and Social Services	7,600,500
Services for Children, Youth and Their Families	200,000
Correction	3,135,400
Natural Resources and Environmental Control	9,931,100

1	<u>Safety and Homeland Security</u>	2,195,900
2	<u>Fire Prevention Commission</u>	1,297,500
3	<u>Delaware State University</u>	3,500,000
4	<u>Delaware Technical and Community College</u>	3,500,000
5	<u>TOTAL</u>	<u>\$115,311,700</u>

6	<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
7	<u>Office of Management and Budget</u>	<u>\$2,275,850</u>
8	<u>Delaware Economic Development Office</u>	<u>36,182,102</u>
9	<u>Natural Resources and Environmental Control</u>	<u>7,704,504</u>
10	<u>Safety and Homeland Security</u>	<u>4,637,348</u>
11	<u>Agriculture</u>	<u>100,000</u>
12	<u>Fire Prevention Commission</u>	<u>422,700</u>
13	<u>Delaware State University</u>	<u>250,000</u>
14	<u>TOTAL</u>	<u>\$51,572,504</u>

15 **Section 4. General Funds to ~~21~~st Twenty-First Century Funds.** It is the intent of the General
16 Assembly ~~that~~ that \$1,853,600 be appropriated from General Funds to the Office of the Secretary,
17 Department of Finance (25-01-01) to be deposited into the Twenty-First Century Fund as established by 29
18 Del. C. § 6102A. These funds shall be appropriated for the following purpose set forth in the Section 1
19 Addendum to this Act:

20	Purpose	Amount
21	Drinking Water State Revolving Fund (DHSS)	\$1,853,600
22	TOTAL	\$1,853,600

23

1 **Section 5. Appropriation of Bond Premiums.** Notwithstanding the provisions of 29 Del. C. §
 2 7414(a), of the available premiums from bonds sold after January 1, ~~2009~~2011, ~~\$12,025,222.34~~
 3 \$17,336,000 shall be used in the following amount for the purpose listed below in order to fully fund the
 4 project:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
<u>Office of Management and Budget</u>	
— <u>Kent County Court Complex</u>	<u>\$12,025,222.34</u>
TOTAL	<u>\$12,025,222.34</u>

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
<u>Office of Management and Budget</u>	
<u>DACSES Replacement and Equipment</u>	<u>\$4,418,500</u>
<u>Medicaid Management Information System</u>	<u>2,965,500</u>
<u>Family and Children Tracking System (FACTS) II</u>	<u>4,700,000</u>
<u>HRYCI New Kitchen – Construction</u>	<u>5,252,000</u>
TOTAL	<u>\$17,336,000</u>

16 **Section 6. Bond Deauthorization.** Amend 78 Del. Laws, c. 76, Section 5 by making insertions as
 17 shown by underlining and deletions as shown by strike through as follows:

18 Notwithstanding the provisions of any other State law, the General Assembly hereby directs the
 19 State Treasurer to deauthorize the remaining balances of authorized but unissued bonds, not in excess of
 20 the balances listed below, from the following projects:

Department, Agency, or Instrumentality	Appropriation Code	Amount
<u>Office of Management and Budget</u>		
<u>Kent County Court Complex</u>	<u>2010-10-02-50-50076</u>	<u>\$11,806,686.00</u>
		<u>\$11,113,552.76</u>
<u>Kent County Court Complex</u>	<u>2011-10-02-50-50076</u>	<u>218,536.34</u>
		<u>911,669.58</u>
<u>MCI and Equipment</u>	<u>2011-10-02-50-50350</u>	<u>2,000,000.00</u>

1	Delaware Economic Development Office		
2	Dover Civic Center	2006-10-03-03-50029	\$2,000,000.00
3	Dover Civic Center	2007-10-03-03-50046	1,000,000.00
4	Diamond State Port Corporation	2011-10-03-03-50252	8,000,000.00
5			TOTAL \$25,025,222.34

6 **Section 7. Transfers to the State Treasurer’s School Bond Reversion Account.**

7	Project	Project Appropriation Code	Amount
8	Renovate & Add Middletown HS	2009-95-29-00-50329	\$1,596.56
9	Market Pressure Construct ES	2006-95-31-00-50089	2,914.66
10	Renovate DuPont HS	2008-95-31-00-50141	23.20
11	Renovate P.S. DuPont HS	2007-95-31-00-50201	13,604.26
12	Renovate Wilmington Campus	2007-95-32-00-50153	1,536.05
13	Renovate Stanton MS	2006-95-32-00-50209	0.11
14	Wilson ES	2006-95-33-00-50217	1.86
15	Baynard ES	2008-95-33-00-50321	3.53
16		TOTAL	\$19,680.23

17	Project	Project Appropriation Code	Amount
18	Cont Early Ch-hood Ct	2008-95-29-00-50032	\$2,484.93
19	Dist Office Purch/Ren	2008-95-29-00-50050	7.90
20	Kirk MS	2005-95-33-00-50110	5,775.50
21	Synth Turf. Athl Fields	2008-95-29-00-50246	42.99
22	Drew Pyle	2005-95-33-00-50178	34.71
23		TOTAL	\$8,346.03

24 **Section 8. Transfers to Local School District Debt Service Account.** Notwithstanding the
 25 provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum of
 26 ~~\$7,664.52~~ \$3,045.90 from the State Treasurer’s School Bond Reversion Account (1994-12-05-03-50229) to

1 the following departments in the following amounts for purposes set forth in Section 1 Addendum to this
 2 Act:

3 Department, Agency, or Instrumentality	Amount
4 Department of Education	
5 (Appoquinimink School District Debt Service)	\$ 431.07
6 (Brandywine School District Debt Service)	6,616.84
7 (Christina School District Debt Service)	2.15
8 (Red Clay School District Debt Service)	614.46
9 <hr style="width: 100%;"/>	
TOTAL	<u>\$7,664.52</u>
10 <u>(Appoquinimink School District Debt Service)</u>	<u>\$721.82</u>
11 <u>(Christina School District Debt Service)</u>	<u>2,324.08</u>
12 <hr style="width: 100%;"/>	
TOTAL	<u>\$3,045.90</u>

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

17 Department, Agency, or Instrumentality	Appropriation Code	Amount
18 <u>Department of Finance</u>		
19 <u>ERP</u>	<u>2007-25-01-01-10009</u>	<u>\$627,952.10</u>
20 <hr style="width: 100%;"/>		
TOTAL		<u>\$627,952.10</u>

21 b) Department, Agency, or Instrumentality	Amount
22 <u>Department of Justice</u>	
23 <u>(Case Management System)</u>	<u>\$502,952.10</u>
24 <u>Department of Natural Resources and Environmental Control</u>	
25 <u>(Redevelopment of Strategic Sites-City of New Castle)</u>	<u>\$125,000.00</u>
26 <hr style="width: 100%;"/>	
TOTAL	<u>\$627,952.10</u>

Section 10. Continuing Appropriations. For the fiscal year ending June 30, ~~2011~~2012, any sums

in the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, ~~2012~~2013.

Fiscal Year	Appropriation	Account Codes	Remarks
2009		10-02-05-10004	Technology Fund
2008/09		10-02-05-50006	800 MHZ
2007		10-02-06-50014	Advanced Planning
2009	2008/09	10-02-50-10017	MCI OMB
2006	2009	10-02-50-10031	DOC MCI
2006	2009	10-02-50-10033	Darley House
2009	2009	10-02-50-10039	MCI/National Guard
2009	2009	10-02-50-10041	Architectural Barrier
2009	2009	10-02-50-10048	Psych Hosp Def Maint
2009	2006	10-02-50-10051	Veterans Home
2006	2006	10-02-50-50027	Capital Parking
2006	2005/2009/10	10-02-50-50071	Howard R. Young Center
2005/2009/10	2007	10-02-50-50076	Kent County Courthouse
2009	2007	10-02-50-50241	Stockley Medical Center
2009	2009	10-02-50-50289	Cleve White Bldg
2009	2009	10-02-50-50306	MCI OMB
2009	2009	10-02-50-50307	MCI DHSS
2009	2009	10-02-50-50309	Starc Headquarters
2010	2010	10-02-50-50350	MCI & Equipment
1999		10-03-03-10067	Dover Civic Center
2005		10-03-03-10068	Delaware Civic Center
2012		10-03-03-10077	Diamond State Port Cor
2012		10-03-03-50252	Diamond State Port Cor
2010		10-08-01-50070	Housing Dev Fund/Prese
2002		12-05-03-10090	GF Cap Reprogramming
1994		12-05-03-50015	Agency Reversions
1994		12-05-03-50229	School Reversions
2011		15-01-01-10004	Technology
2009	2002	20-08-01-50052	Dover Public Library
2002	1996	20-08-01-50065	Harrington Library
1996	2007	20-08-01-50098	North Wilmington Library
2007	2007	20-08-01-50100	NCC Bear
2007	2009	20-08-01-50101	NCC South
2009	2007	20-08-01-50102	New Castle Public Library
2007	2008	25-01-01-10009	ERP
2008	2009	25-01-01-50057	ERP
2009	2007	35-01-30-10230	MCI Equipment
2007	2008/09	35-10-01-10120	DACSES IV
2008/09	2007	38-01-40-10118	Maintenance and Restoration
2007	2006	40-01-01-10126	Avian Flu
2006	2005/08	40-01-01-10127	Energy Efficiency
2005/08	2007/08	40-01-06-10152	Combined Sewer Overflow
2007/08	2006	40-03-02-10132	Park Rehab
2006	2004/05	40-03-02-50237	State Park Facilities
2004/05		40-03-03-10129	Dams/Water Control

1	2006	40-03-04-10140	Little Mill Creek
2	2008	40-03-04-10141	Retention Ponds
3	2009	40-03-04-10142	Buried Debris Pit Reme
4	2008	40-03-04-10143	Dam Planning
5	2007	40-03-04-10147	Lewes Facil. Improveme
6	2007	40-03-04-10153	Red Clay Feasibility St
7	2003	40-03-04-50224	Resource Conserv & Dev
8	2008	40-03-04-50275	Beach Preservation
9	<u>2010</u>	<u>55-05-00-95401</u>	<u>FHWA</u>
10	<u>2010</u>	<u>55-05-00-95402</u>	<u>FTA</u>
11	<u>2010</u>	<u>55-05-00-95403</u>	<u>Federal-Other</u>
12	<u>2010</u>	<u>55-05-00-95601</u>	<u>Grants & Allocations</u>
13	<u>2010</u>	<u>55-05-00-97301</u>	<u>Transit System</u>
14	<u>2010</u>	<u>55-05-00-97601</u>	<u>Support System</u>
15	<u>2010</u>	<u>55-05-00-97701</u>	<u>Road System</u>
16	<u>2010</u>	<u>55-05-00-97801</u>	<u>GARVEE Fund</u>
17	<u>2009/10</u>	<u>90-01-01-50290</u>	<u>Alison Hall Ren</u>
18	2009	90-03-01-10017	MCI
19	2009	90-03-01-50346	Delaware State MCI
20	<u>2010</u>	<u>90-03-01-50350</u>	<u>MCI & Equipment</u>
21	<u>2008/09</u>	<u>90-04-01-10211</u>	<u>Asset Preservation</u>
22	2008	90-04-01-10212	Excellence Thru Technology
23	<u>2010</u>	<u>90-04-01-50354</u>	<u>College Asset PresPro</u>
24	2006	90-04-04-50235	Stanton Campus Expansion
25	2007	90-04-05-50235	Stanton Campus Expansion
26	2009	90-04-06-10174	Campus Improvement
27	2002/09	95-01-01-10017	MCI
28	<u>2010</u>	<u>95-10-00-50022</u>	<u>MCI</u>
29	2008/2010	95-10-00-50144	Ren Reily Brown ES
30	2009	95-10-00-50326	Ren & Add Mellvane
31	2009	95-13-00-10017	MCI
32	2009	95-13-00-10873	MCI/Voc Ed
33	2008	95-13-00-50080	Land HS
34	<u>2010</u>	<u>95-13-00-50281</u>	<u>Central MS Gym</u>
35	<u>2010</u>	<u>95-13-00-50297</u>	<u>Construct 600 Ppls</u>
36	<u>2010</u>	<u>95-15-00-50022</u>	<u>MCI</u>
37	<u>2010</u>	<u>95-15-00-50107</u>	<u>MCI/VocEd</u>
38	2009	95-15-00-50072	HS Performing Arts Ren
39	<u>2010</u>	<u>95-15-00-50119</u>	<u>Ren Chipman ES</u>
40	<u>2008/10</u>	<u>95-15-00-50135</u>	<u>Ren Lake Forest HS</u>
41	2008	95-15-00-50146	Renovate South ES
42	2009	95-16-00-10176	Tech Prep
43	2009	95-16-00-50324	VocEquipment Repl
44	2009	95-17-00-10873	MCI/Voc Ed
45	2009	95-17-00-50036	1600 Pupil HS
46	2008	95-17-00-50136	Ren Lewes 9 th Grade AC
47	2009	95-17-00-50244	Sussex Consortium
48	2008	95-18-00-50030	Construct 1000 Pupil MS
49	2008	95-18-00-50078	Land & Site Costs for New ES
50	2008	95-18-00-50079	Land MS
51	<u>2010</u>	<u>95-18-00-50107</u>	<u>MCI/Voc Ed</u>
52	2008	95-18-00-50122	Morris ECC
53	2008	95-18-00-50139	Renovate Milford HS
54	<u>2009/10</u>	<u>95-18-00-50282</u>	<u>Construct 720 Pupil HS</u>

1	2009	95-18-00-50287	1000 Pupil MS
2	<u>2010</u>	95-18-00-50296	Construct Middle Acade
3	2009	95-18-00-50332	Renovate Lulu Ross ES
4	2008	95-24-00-10017	MCI
5	2008	95-24-00-50081	Clayton IS
6	2009/ <u>10</u>	95-24-00-50113	Renovate Smyrna HS
7	2007	95-24-00-50263	600 Pupil ES
8	2009 <u>2010</u>	95-24-00-50297	Construct 600 Pupil IS
9	2008	95-29-00-50032	Construct ECC
10	2008	95-29-00-50033	Construct MOT
11	2007	95-29-00-50035	Construct 1000 Pupil M
12	2009	95-29-00-50041	Construct 840 Pupil ES
13	<u>2010</u>	95-29-00-50329	<u>Ren & Add Middletown H</u>
14	<u>2010</u>	95-29-00-50336	<u>Renovate Cedar Lane ES</u>
15	<u>2009</u>	95-31-00-10017	<u>MCI</u>
16	2007	95-31-00-10187	Market Pressure Matching Fund
17	2009	95-31-00-10873	MCI/Voc Ed
18	<u>2010</u>	95-31-00-50022	<u>MCI</u>
19	2008	95-31-00-50039	Construct 600 Pupil ES
20	2006	95-31-00-50090	MP Ii 66.0 ES
21	<u>2010</u>	95-31-00-50107	<u>MCI/Vod Ed</u>
22	2008	95-31-00-50127	Renovate Hanby MS
23	<u>2008</u>	95-31-00-50141	<u>Ren P.S. Dupont ES</u>
24	2008	95-31-00-50147	Renovate Springer MS
25	2007	95-31-00-50176	Renovate District Offices
26	2009/ <u>10</u>	95-31-00-50284	Construct 66000 Sq F
27	2009	95-31-00-50327	New Transportation Fac
28	<u>2010</u>	95-31-00-50357	<u>Demolish Bush School</u>
29	<u>2010</u>	95-31-00-50358	<u>Trans Fac (Local Only)</u>
30	<u>2010</u>	95-32-00-50022	<u>MCI</u>
31	2006	95-33-00-50040	800 Pupil MS
32	2006	95-33-00-50104	New MS
33	2005	95-33-00-50169	Bancroft IS
34	2005	95-33-00-50178	Drew Pyle
35	2008	95-33-00-50322	Porter Road
36	2009/ <u>10</u>	95-33-00-50330	Restart Porter Road ES
37	2009	95-34-00-50063	Gunning Bedford
38	<u>2010</u>	95-34-00-50115	<u>Ren & Rec New Castle M</u>
39	2008	95-34-00-50124	George Reed MS
40	2009	95-34-00-50152	Ren William Penn HS
41	2008	95-34-00-50160	McCullough ES
42	<u>2010</u>	95-34-00-50349	<u>Renovate Eisenberg Ele</u>
43	2003	95-36-00-50062	Frankford ES
44	2004	95-36-00-50073	Indian River HS
45	2006	95-36-00-50123	Frankford ES
46	2006	95-36-00-50132	Indian River HS
47	2005	95-36-00-50183	Renovate Frankford ES
48	2007	95-36-00-50221	Long Neck ES
49	2007	95-36-00-50222	Georgetown ES
50	2007	95-36-00-50223	Selbyville MS
51	<u>2010</u>	95-38-00-50338	<u>Renovate Howard HS</u>
52	2008	95-39-00-50117	Renovation HS
53	2009	95-39-00-50339	Roof Replacement Caf W
54	2009	95-40-00-50255	Water System Rep

1	<u>2007/08/10</u>	95-51-00-50240	Replace Sterck
2	2009	95-51-00-50328	Sterck School
3	2009	95-53-00-10017	MCI
4	<u>2010</u>	<u>95-53-00-50022</u>	<u>MCI</u>
5	<u>2010</u>	<u>95-53-00-50348</u>	<u>Renovate John G. Leach</u>
6	<u>2010</u>	<u>95-54-00-50022</u>	<u>MCI</u>
7	<u>2010</u>	<u>95-67-00-50022</u>	<u>MCI</u>
8	<u>2010</u>	<u>95-70-00-50022</u>	<u>MCI</u>
9	2009	95-74-00-50323	MCI Operations
10	<u>2010</u>	<u>95-79-00-50022</u>	<u>MCI</u>
11	<u>2010</u>	<u>95-82-00-50022</u>	<u>MCI</u>

12 **Section 11. Prefatory Language.** This Act has been prepared in conformance with 78 Del. Laws,
13 c. 90. For all sections with the exception of Section 1 Addendum, all comparisons to the previous year's
14 Budget Act are shown noting insertions by underlining and deletions by strike through.

15 **Section 12. Conservation Districts - Federal Acquisition Regulations.** Conservation Districts
16 shall not be required to follow the provisions of the Federal Acquisition Regulations unless specifically
17 required under a contract(s) with a federal agency or federal grant. If the Conservation Districts are
18 required to follow subpart 31.2 of the Federal Acquisition Regulations, then the Conservation District(s) are
19 hereby authorized to charge an additional ten percent to their overhead cost rate to enable the Conservation
20 District(s) to continue to fulfill their statutory duties and responsibilities.

21 **Section 13. First State Preservation Revolving Fund, Inc.** For Fiscal Year ~~2012~~2013, First State
22 Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest
23 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999
24 and 2000.

25 **Section 14. Downtown Milford Inc.** Any Community Redevelopment Fund appropriations to
26 Downtown Milford Inc.- Structural and Façade Improvements may be used for private businesses and
27 residences, as well as, institutional residences provided said properties are within the Downtown Milford
28 project area.

29 **Section 15. Laurel Redevelopment Corporation.** Any proceeds from the sale of property funded
30 in whole or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation
31 shall be reinvested in redevelopment projects within the Town of Laurel.

1 **Section 16. Community Redevelopment Fund Match.** Notwithstanding the provisions of 29
2 Del. C. ~~e. 61~~ § 6102A, any unexpended Community Redevelopment Funds awarded to the Hockessin
3 Community Center in fiscal years 2004 and 2005 shall not require a local match.

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

12 **Section 18. Notification.** The Director of the Office of Management and Budget and Controller
13 General shall notify affected state agencies and other instrumentalities of the State as to certain relevant
14 provisions of this Act. Additionally, the Director of the Office of Management and Budget and Controller
15 General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any
16 legislative appointments required by this Act.

17 **Section 19. Bear Babe Ruth.** Notwithstanding any provision or requirement of the public trust
18 doctrine or 10 Del. C. c. 82, and without the necessity of compliance therewith, New Castle County is
19 hereby authorized to transfer to Bear Babe Ruth all rights, title and interest in that certain tract, piece, parcel
20 or parcels of land known as Lot 3, Wrangle Hill Elementary School, containing 68.008 acres, more or less,
21 and having Tax Parcel No. 12-013.00-081, as were conveyed to New Castle County by deed of Premcor
22 Refining Group Inc. (Premcor) dated March 12, 2007, or by any subsequent deed or consent executed by a
23 successor or assign of Premcor, subject to the condition that such property be used by Bear Babe Ruth for
24 the sole purpose of establishing, operating and maintaining thereon a public park for open space, park or
25 outdoor recreational uses.

1 **Section 20. Escheat.** Notwithstanding the provisions of 29 Del. C. § 6102(a), for fiscal year
2 ending June 30, 2013, with respect to revenues collected under 12 Del. C. c. 11, the Secretary of Finance
3 shall transfer all receipts received in excess of \$566,500,000 to the following accounts in equal amounts:
4 (a) The K-12 Construction Fund;
5 (b) The Debt Reduction Fund; and
6 (c) The Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 **Section 21. 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 22. Construction Manager.** It is the intent of the General Assembly that all public works
6 projects, including all public school projects, that utilize a construction manager on the project, utilize the
7 delivery methodology which requires the construction manager to secure a performance and payment bond
8 for their portion of the work. All subcontractors shall be listed at the start of the project and shall provide a
9 performance and payment bond which names the Construction Manager and the State of Delaware as
10 additional insureds. All provisions of 29 Del. C. c. 69 are in effect for projects which utilize Construction
11 Manager.

12 **Section 23. Judicial Construction Oversight.** It is the intent of the General Assembly that a
13 nine-member Executive Committee be created to oversee construction of new or major renovation of
14 judicial facilities. The Executive Committee shall include two members of the Legislature appointed by the
15 Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs
16 of the House and Senate Judiciary Committees; two members of the Judiciary as appointed by the Chief
17 Justice; and three members of the Executive Department to include the Director of Facilities Management,
18 the Director of the Office of Management and Budget and their designee. The Executive Committee shall
19 work in conformation with existing construction oversight guidelines as written in Section 21 of this Act.
20 The Executive Committee is hereby empowered to:

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

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

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

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

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

7 **Section 24. Minor Capital Improvement and Equipment Supplement - Office of Management**
8 **and Budget.** Notwithstanding the provisions of any other State law to the contrary, not more than five
9 percent of the total amount allocated to the Office of Management and Budget's MCI annual budget may be
10 expended to enter into contractual agreements for project representatives and associated administrative
11 support to ensure adequate oversight of State construction projects. The Director of the Office of
12 Management and Budget is directed to provide an itemized budget for this amount to the Controller General
13 by August 1; of each fiscal year, and expenditure reports to the Controller General by December 1 and June
14 1 of each fiscal year.

15 **Section 25. New Castle County Courthouse.** Notwithstanding any law or local government
16 ordinance, resolution, or any deed restrictions to the contrary, the Director of the Office of Management and
17 Budget shall designate the name of any state-owned or state-operated courthouse or other judicial building
18 or facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
19 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
20 any statues or memorials in or on the grounds of such courthouse or judicial building or facility.

21 **Section 26. Belvedere State Service Center Project.** Notwithstanding any State laws to the
22 contrary, funds received from tenants in the Belvedere State Service Center shall be used by the Office of
23 Management and Budget for the maintenance and operation of the center.

24 **Section 27. Kent County Courthouse Appropriation.** The Section 1 Addendum ~~to this Act in 78~~
25 Del. Laws, c. 76 contains an appropriation of \$2,000,000 which shall be used solely for the renovation of
26 the ~~existing~~ old Kent County Courthouse.

1 **Section 28. Sale of Surplus Property.** Notwithstanding the provisions of any law to the contrary,
2 the Director of the Office of Management and Budget is authorized to solicit buyers, lessors or developers
3 and negotiate the sale, long or short-term lease, development or adaptation of the state-owned building and
4 parking lot, commonly known as the Bank of America Building and State Employee Workforce Education
5 and Training Center, located on the block bounded by French, 9th, 10th and Walnut Streets in Wilmington.
6 Net proceeds resulting from a sale, lease, development or reuse of the building and/or parking lot shall be
7 deposited to the General Fund. The Director of the Office of Management and Budget must receive
8 approval from the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program prior
9 to executing an agreement of sale, lease, development or use of the building or parking lot for other than
10 state agencies. The Director of the Office of Management and Budget is authorized to solicit buyers,
11 lessors, developers and others who may enable the sale, development, lease, or reuse of the property
12 directly, use public advertisement, auction, reverse auction, sealed bids, or issue requests for information
13 and requests for proposals. During Fiscal Year ~~2012~~2013, the Director of the Office of Management and
14 Budget may identify additional state-owned real property that, with the concurrence of the Co-Chairs of the
15 Joint Legislative Committee on the Capital Improvement Program and the Controller General, may be sold,
16 leased or developed pursuant to the provisions of this section.

17 **Section 29. Card Access Security Systems.** Notwithstanding the provisions of any law to the
18 contrary, the Office of Management and Budget, Department of Safety and Homeland Security, and the
19 Department of Technology and Information shall jointly develop and maintain specifications and standards
20 for card access security systems for all state facilities. Security system communications using state
21 infrastructure will observe enterprise standards and policies as defined by Department of Technology and
22 Information pursuant to 29 Del. C. c. 90. The specifications and standards shall enable a single-card
23 security solution for all state-owned facilities, require the ability for concurrent central and local
24 administration of card access functions, and shall include a registry of approved card readers and associated
25 hardware required to implement card access security systems. It is the intent of this section to authorize
26 Office of Management and Budget, Department of Safety and Homeland Security and Department of

1 Technology and Information to jointly select a single supplier, manufacturer or technology of access cards
2 and security management software for use by all state agencies. The Office of Management and Budget,
3 Department of Safety and Homeland Security and Department of Technology and Information shall
4 develop procedures and standards required for the evaluation and approval of agency requests for new or
5 modified security systems of any type. Before a state agency may install a new security system or modify
6 an existing system, the agency shall obtain the approval of the Office of Management and Budget,
7 Department of Safety and Homeland Security and Department of Technology and Information.

8 **Section 30. Employing Delawareans Reporting Requirement.** The Section 1 Addendum to ~~this~~
9 ~~Act~~ 78 Del. Laws, c. 76 makes the following appropriations from “One-Time Special Funds;” \$10,000,000
10 to the University of Delaware; \$10,000,000 to Delaware State University; \$10,000,000 to Delaware
11 Technical and Community College; \$10,000,000 to the Delaware State Housing Authority; \$55,000,000 to
12 New Jobs Infrastructure; and \$35,000,000 in Asset Preservation. Expenditure of said funds shall be subject
13 to the following provisions:

14 (a) Any public works or professional services contract (1) to which any agency, the University of
15 Delaware, Delaware State University, or Delaware Technical and Community College is a party; (2) for
16 which payment shall be funded in whole or in part by monies hereunder; and (3) for which the probable cost
17 is greater than the amount set by the Contracting and Purchasing Advisory Council pursuant to 29 Del. C.
18 § 6913.

19 (b) No bid for any contract hereunder shall be responsive unless the prospective bidder discloses its
20 reasonable, good-faith determination of (1) the number of employees reasonably anticipated to be employed
21 on the project; (2) the number and percentage of such employees who are bona fide legal residents of the
22 State; (3) the total number of employees of the bidder; and (4) the total percentage of employees of such
23 bidder who are bona fide residents of the State. To the extent subcontractors are to be employed in
24 connection herewith, the bidder shall further disclose its reasonable, good-faith determination of the number
25 and percentage of employees of such subcontractor who are bona fide legal residents of the State.

1 (c) All contractors awarded contracts hereunder shall submit a report to the Director of the Office
2 of Management and Budget setting forth the actual number and percentage of employees of such contractor
3 who are bona fide legal residents of the State. To the extent subcontractors are employed in connection
4 with any such contractor, the contractor shall further disclose the actual number and percentage of
5 employees of such subcontractor who are bona fide legal residents of the State. Such report shall be due on
6 the earlier of 30 days from the completion of the project or December 31 of each calendar year.

7 (d) For purposes of this section, “bona fide legal resident of this State” shall mean any resident
8 who has established residence of at least 90 days in the State.

9 (e) Notwithstanding anything to the contrary herein, this section shall not apply to any contract for
10 which any exception would apply pursuant to 29 Del. C. § 6904. Without limitation of the foregoing, if any
11 provision of this section conflicts or is inconsistent with any statute, rule or regulation of the federal
12 government applicable to a project or activity, the cost of which is to be paid or reimbursed in whole or in
13 part by the federal government, and due to such conflict or inconsistency the availability of federal funds
14 may be jeopardized, such provision shall not apply to such project or activity. Further, if any provisions of
15 this section conflict or are inconsistent with 31 Del. C. c. 40, the provisions of 31 Del. C. c. 40 shall prevail
16 and govern.

17 **Section 31. Technology Fund.** The Section 1 Addendum to this Act appropriates \$700,000 to the
18 Office of Management and Budget for the Technology Fund. These funds shall be appropriated for the
19 following projects.

<u>Project</u>	<u>Amount</u>
<u>Crime Prevention Camera System</u>	<u>\$250,000</u>
<u>Police Technology Upgrades</u>	<u>\$450,000</u>

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 **Section 32. 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 33. Kalmar Nyckel.** The scheduling of the Kalmar Nyckel by non-state entities shall
10 require the approval of the Riverfront Development Corporation. Further, the Riverfront Development
11 Corporation is encouraged to enter into negotiations with interested parties to review the disposition of
12 loans to the Kalmar Nyckel.

13 **Section 34. Transportation Property Disposition.** The proceeds from the future sale of parcels
14 of land the Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva
15 Properties located in the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

16 **Section 35. Council on Development Finance.** If DEDO makes an award not in agreement with
17 the recommendations of the Council on Development Finance, the Director of DEDO shall notify the Co-
18 Chairs of the Joint Legislative Committee on Capital Improvements within 10 business days. The
19 notification shall include details of the actual award, the Council recommendations on the proposal, and a
20 justification for why DEDO did not follow the recommendations of the Council.

21 **Section 36. New Markets Tax Credit Program.** In the event that the Director of DEDO ~~or the~~
22 ~~Director of the Delaware State Housing Authority~~ and the Secretary of Finance determine that it is
23 advisable to apply for participation in the New Markets Tax Credit Program under the U.S. Treasury
24 Department, the Director is authorized to form a business entity or organization to apply for and manage
25 this program on behalf of the State, as required by applicable federal legislation and regulations. Any such
26 application for said program shall be subject to the approval of the Co-Chairs of the Joint Legislative

1 Committee on the Capital Improvement Program and the Delaware State Clearinghouse Committee.
2 Should such application receive final approval by the U.S. Treasury Department or other federal
3 governmental entity charged with such authority, at least one public hearing shall be held for the purpose of
4 presenting the program, the availability of financial assistance and the selection process. ~~and the Director of~~
5 ~~the Delaware State Housing Authority shall notify, by certified and regular mail, any state senators and~~
6 ~~representatives in whose districts any development project may be located, upon the submission of a request~~
7 ~~for financing and a decision to provide financing for such development pursuant to the New Market Tax~~
8 ~~Credit Program. In addition, the Housing Director shall so notify the Chief Executive Office of any local~~
9 ~~government in whose jurisdiction any development will be located.~~

10 **Section 37. Fraunhofer Vaccine Development.** The Section 1 Addendum to this Act
11 appropriates \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General Assembly
12 and the Administration that said funds represent the ~~first~~second year of a six-year commitment by the State
13 of Delaware to leverage a 2:1 matching grant of ~~\$18,000,000~~12,000,000 from Fraunhofer USA.

14 **Section 38. Emerging Technology Center.** Notwithstanding any other law to the contrary,
15 funds appropriated to DEDO for the Emerging Technology Center, pursuant to 74 Del. Laws, c. 308 §
16 36(c), shall be expended by DEDO for the purpose of operating the Delaware Emerging Technology
17 Center (ETC). Operating expenses may include, but are not limited to ETC software licensing
18 agreements; ~~patent maintenance fees~~; Delaware sponsored ETC investor forums, businesses plan
19 competitions and conferences, marketing campaigns; and Intellectual Property Business Creation program
20 implementation initiatives.

21 **Section 39. Riverfront Development Corporation.** (a) Funds appropriated for the Riverfront
22 Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the
23 Riverfront Development Corporation Fund hereinafter referred to as the Fund.

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

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

7 **Section 40. Limited Investment for Financial Traction (LIFT) and Delaware Rural Irrigation**
8 **Program (DRIP) Initiatives.** Notwithstanding any other law to the contrary, DEDO is hereby authorized
9 to pay administrative fees associated with the LIFT and DRIP Initiatives from the Strategic Fund not to
10 exceed two percent of the program total.

11 **Section 41. Clean Energy Fund Balance.** Notwithstanding any other law to the contrary, the
12 funds appropriated to DEDO for the establishment of the Clean Energy Fund pursuant to 74 Del. Laws, c.
13 308 § 36(c) shall be deposited by DEDO into the Delaware Strategic Fund for use in accordance with the
14 provision of 29 Del. C. § 5027-5029 and regulations promulgated thereunder.

15 **Section 42. Delaware Stadium Corporation.** The balance remaining in appropriation 10-03-03-
16 10914 Delaware Stadium Corporation shall be transferred to the Office of Management and Budget and
17 shall be made available for Stadium Corporation improvements.

18 **Section 43. Diamond State Port Corporation.** The Section 1 Addendum to this Act 78 Del.
19 Laws, c. 76 appropriates \$10,000,000 to the Diamond State Port Corporation (DSPC). No funds may be
20 expended from this appropriation without the approval of the Board of Directors of the Port Corporation.
21 Any funds remaining unspent or unencumbered as of June 30, 2012 shall ~~revert to the General Fund and~~
22 ~~Bond Reversion Account~~ not be subject to reversion or reauthorization until June 30, 2013. In addition,
23 DSPC may borrow, on an interest-free basis, \$2,000,000 of this authorization to meet its short term
24 operating expenses during Fiscal Year ~~2012~~ 2013.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 **Section 44. Housing Development Fund - Affordable Rental Housing Program.** The Section 1

3 Addendum to this Act appropriates ~~\$14,000,000~~\$4,000,000 for Housing Development Fund - Affordable
4 Rental Housing Program (10-08-01). It is the intent of the General Assembly and the Administration that
5 said funds are to be used to leverage other funding sources, such as Low Income Housing Tax Credits and
6 tax-exempt bonds to help create and/or improve affordable rental housing stocks in Delaware. This
7 investment in affordable rental housing will increase economic activity in the State of Delaware. The
8 Director of the Delaware State Housing Authority shall report to the Controller General and the Director of
9 the Office of Management and Budget no later than April 30, ~~2012~~2013 on the expenditure of the Housing
10 Development Fund appropriated in Section 1 Addendum to this Act. Said report shall also include the
11 amount and expenditure of any non-state funds received by the State for said affordable rental housing
12 projects.

1 **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2 **Section 45. 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.

7 **Section 46. IT Project Funding.** (a) Section 1 Addendum of this Act appropriates \$12,084,000 to
8 the Office of Management and Budget (10-02-05) for technology projects. For Fiscal Year 2013, the
9 following projects may receive an allocation for planning, development, procuring services, conducting a
10 feasibility/investment analysis or project implementation provided they meet all of the requirements
11 contained within this Section:

12 DEPARTMENT/AGENCY SERVICE NEED

13 Department of Health and Social Services

14 DACSES Replacement and Equipment

15 Medicaid Management Information System

16 Department of Services for Children, Youth and Their Families

17 Family and Children Tracking System (FACTS II)

18 Allocation of the funds appropriated for this purpose shall be made by the Director of the Office of
19 Management and Budget in consultation with the affected department/agency head. Project allocations shall
20 not be transferred to another department/agency unless approved by the Director of the Office of
21 Management and Budget. In the event federal funds are available for match in support of a project or
22 projects, the Director of the Office of Management and Budget and the Controller General may transfer
23 such funds as are necessary to meet the match requirements to the department/agency involved.

24 (b) In no instance shall any information technology (IT) project identified in Subsection (a) of this
25 Section be initiated by the department/agency during this fiscal year until its formalized plan has been
26 approved by the department/agency head, Director of the Office of Management and Budget and state Chief

1 Information Officer. The project plan and the request for funding to be transferred shall consist of a
2 business case for the project, which includes:

3 (i) needs analysis;

4 (ii) business process to be impacted/reengineered;

5 (iii) risk assessment;

6 (iv) stakeholder impact assessment;

7 (v) cost-benefit analysis; and,

8 (vi) an analysis of the total cost of ownership, which includes costs incurred during all phases
9 of the development and operational life cycles.

10 In no instance shall any project be approved by the Director of the Office of Management and
11 Budget if any portion of the above project plan requirements are absent from the department's/agency's
12 request for a transfer of funds.

13 (c) No IT project that receives funds through Subsection (a) that has a scope beyond the scope of
14 work approved by the department/agency head and the Director of the Office of Management and Budget,
15 and the state's Chief Information Officer is to be undertaken. Changes in scope or cost that fundamentally
16 alter the original intent of an approved project shall be communicated to the Director of the Office of
17 Management and Budget, Controller General and the state Chief Information Officer. Departments/agencies
18 failing to communicate this information in a prompt manner may cause the project to be postponed or
19 terminated. This requirement applies to all IT or technology-related systems development performed by the
20 Department of Technology and Information, the department/agency itself, or an outside consultant or
21 contractor. Further, this requirement applies to IT applications or systems purchased, subscribe to, or
22 otherwise acquired and placed in use.

23 (d) Funding shall be transferred on a phase-by-phase basis. Except for the initial transfer where the
24 project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the receipt
25 and review of quarterly project status reports by the Director of the Office of Management and Budget,
26 Controller General and Chief Information Officer. In instances where the project requires a transfer prior to

1 the deadline for the quarterly report, a report of the project's status at the time of the request will be
2 necessary.

3 (e) In all projects executed between the Department of Technology and Information, the Controller
4 General's Office, the Office of Management and Budget, and the concerned department/agency, the
5 Department of Technology and Information shall maintain staff support to the benefit of the
6 department/agency at the agreed upon level of effort (subject to recruitment delays) until the project work
7 has been accomplished.

8 (f) In no case shall funds appropriated in Section 1 Addendum of this Act be used to employ data or
9 word processing professionals in support of current or proposed IT projects without the express written
10 approval of the Director of the Office of Management and Budget.

1 **DEPARTMENT OF STATE**

2 **Section 47. North Wilmington Library.** Funds authorized in the Section 1 Addendum of 70
3 Del. Laws, c. 210 shall be used to plan and construct a library within the First Senate District.

4 **Section 48. Delaware River Main Channel Dredging.** It is the intent of the General Assembly
5 that 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 (DNREC) dealing with the potential use of dredge spoils
9 for Delaware beach preservation and habitat protection.
- 10 2) The Corps of Engineers shall meet all necessary DNREC permitting requirements.

11 **Section 49. Museum Maintenance.** The Section 1 Addendum to this Act appropriates \$350,000
12 to the Department of State for museum maintenance. It is the intent of the General Assembly that these
13 funds 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 50. Library Construction.** Proposals submitted by the Department of State to the Office
17 of 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 51. Stabilization Endowment for the Arts.** It is the intent of the General Assembly that
20 previously appropriated funds from the Department of State to the Stabilization Endowment for the Arts
21 may be used to fund operating expenses pursuant to appropriate controls and procedures adopted by the
22 Board of the Arts Consortium of Delaware and upon concurrence of the Division of Arts.

1 **DEPARTMENT OF FINANCE**

2 **Section 52. Bond Proceeds Reimbursement.** Unless not permitted by the Internal Revenue Code
3 of 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 promulgated
8 from time to time, or shall be qualified as Build America Bonds pursuant to the Code and the Regulations.
9 Pursuant to the State's budget and financial policies, other than unexpected situations where surplus
10 revenues render bond financing unnecessary or undesirable, no funds other than the proceeds of such bonds,
11 are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the
12 State to pay the costs of such specific capital projects. Pursuant to the Authority’s budget and financial
13 policies, it is expected that approximately 50 percent of the costs of its capital projects shall be funded on a
14 long-term basis from the proceeds of such bonds. However, after the authorization of such bonds but prior
15 to their issuance, non-bond funds from the State’s General Fund or the Authority’s Transportation Trust
16 fund or other funds may be advanced on a temporary basis to pay a portion of the costs of such specific
17 capital projects. In that event, it is expected that these non-bond funds will be reimbursed from the
18 proceeds of such bonds when they are issued. This reimbursement may cause a portion of such bonds to
19 become reimbursement bonds within the meaning of Section 1.150-2 of the Regulations. Under those
20 Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal income
21 tax purposes, it may be necessary to make a declaration of official intent. The Secretary of Finance is
22 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 53. Qualified Zone Academy Bonds.** A portion of the General Obligation bonds
2 authorized under this Act for a school construction project may be issued in the form of Qualified Zone
3 Academy Bonds (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 54. ~~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 ~~2012~~2013 or Fiscal Year ~~2013~~2014, and may~~
21 ~~be subject to any amortization requirements as shall be determined by the bond issuing officers~~
22 ~~notwithstanding anything to the contrary contained in ~~Section 7406(b) of Title 29 Del. C. § 7406(b).~~~~

23 **Section 55. Research and Development Tax Credit.** Amend § 2073(a), Title 30 of the Delaware
24 Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

25 (a) The Director shall not approve a research and development tax credit under this chapter for
26 taxable years ending after December 31, ~~2012~~ 2013.

1 **DEPARTMENT OF CORRECTION**

2 **Section 56. 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 57. 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 58. Maintenance and Restoration.** The Section 1 Addendum to this Act appropriates
16 \$3,135,400 to the Department of Correction for Maintenance and Restoration projects. The Department
17 must submit a bi-annual report to the Director of the Office of Management and Budget and the Controller
18 General, detailing the expenditure of such funds and the respective projects. The Department shall submit a
19 preliminary plan to the Director of the Office of Management and Budget and Controller General for
20 maintenance projects for the following fiscal year by October 31.

21 **Section 59. Department of Correction Prison Industry Program.** The Department of
22 Correction's Prison Industry Program shall be prohibited from selling on the open market precast concrete
23 products work including but not limited to catch basins and square boxes, unless such work meets National
24 Precast Concrete Association Standards. The Department of Correction Prison Industry Program can
25 continue to build, pour and construct precast concrete products that are exempt from this standard for use on
26 State of Delaware prison projects.

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

2 **Section 60. Conservation Cost-Sharing Program.** The Section 1 Addendum to this Act
3 appropriates \$1,500,000 to the Department of Natural Resources and Environmental Control (DNREC) for
4 the Conservation Cost-Sharing Program. Of this amount, 70 percent will be divided equally among the
5 three conservation districts to expand their water quality and water management programs. Preference
6 should be given to projects or conservation practices that improve water quality on lands covered by
7 nutrient management plans, as practicable and in consultation with the Secretary. The remaining balance
8 will be directed towards nutrient management and water quality efforts statewide as determined by the
9 Secretary, in consultation with the three conservation districts.

10 **Section 61. DNREC Land Acquisition.** Except for land acquired by approval of the Open Space
11 Council or approved through a Bond and Capital Improvements Act, land shall not be purchased by the
12 Department of Natural Resources and Environmental Control without prior approval of the Co-Chairs of
13 the Joint Legislative Committee on the Capital Improvement Program provided, however, that the
14 Department is not prohibited from conducting studies, surveys or other contractual arrangements that
15 would normally precede land acquisition procedures.

16 **Section 62. Open Space Match Requirements.** Notwithstanding the provisions of 29 Del. C.
17 § 6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of
18 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby
19 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land
20 purchase if it can be demonstrated that meeting said match requirements would prevent the timely
21 purchase of said parcel.

22 **Section 63. Army Corps of Engineers Project Cooperation Agreements.** By using funds
23 approved by Bond and Capital Improvements Acts, the Secretary of DNREC is authorized to sign Project
24 Cooperation Agreements with the Department of the Army and other appropriate sponsors for planning,
25 construction, operation and maintenance for projects entered into by said Agreements.

1 **Section 64. Indian River Marina.** In accordance with the provisions of 73 Del. Laws, c. 350, §
2 70, DNREC under the direction of the Director of the Office of Management and Budget may utilize up to
3 \$9,900,000 in funds from the Twenty-First Century Fund for the Parks Endowment Account as established
4 in 29 Del. C. § 6102A(e), for the purpose of revitalizing and enhancing public amenities within the
5 Delaware Seashore State Park in and around the Indian River Marina Complex and related support facilities
6 as presented to the Joint Legislative Committee on Capital Improvements on May 15, 2002. DNREC will
7 repay both the principal borrowed and interest on the principal borrowed equal to that interest lost as a
8 result of borrowing from the Account. Repayment shall not exceed twenty years.

9 **Section 65. Newark Reservoir.** Of the funds allocated from the Twenty-First Century
10 Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside
11 for the Newark Reservoir Project. If the City of Newark annexes the property referred to as New Castle
12 County Tax Parcel #08-059.20-002, the City must repay to the State those monies appropriated in the Fiscal
13 Year 2000 and 2001 Bond and Capital Improvements Acts for said project.

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

20 **Section 67. Waterway Management.** DNREC is directed to provide dedicated, comprehensive
21 waterway management for state waters. DNREC will: maintain design depths and mark navigational
22 channels of the State that are not maintained and marked by any entity of the federal government; remove
23 nuisance macroalgae; remove abandoned vessels; remove derelict structures, trees and other debris that
24 threatens safe navigation; and perform any other waterway management services that may be identified to
25 preserve, maintain and enhance recreational use of the State's tidal waters, as well as improve
26 environmental conditions as warranted or directed by the Governor or Secretary of DNREC. DNREC is

1 further directed to undertake a study of the sediment sources and patterns of sediment movement that results
2 in deposition within State waterways to determine if there are methods to reduce the dependency on
3 dredging to remove deposited sediments.

4 **Section 68. Clean Water Funding Leverage.** The Department of Natural Resources and
5 Environmental Control, under advisement from the Clean Water Advisory Council, is encouraged to
6 evaluate the potential leveraging of the Water Pollution Control Revolving Fund and/or the Twenty-First
7 Century Fund Water/Wastewater Management Account based on the recommendation of the Dialogue on
8 Financing Wastewater and Stormwater Infrastructure report sponsored by the Delaware Public Policy
9 Institute, Office of the Governor, Office of the Lieutenant Governor, DNREC and the Clean Water
10 Advisory Council. The Department is further encouraged to include in its evaluation the use of any other
11 resources or assets within the Department that can be used to create an environmental infrastructure trust to
12 further the environmental goals of the State.

13 **Section 69. Yard Waste Drop Sites.** It is the intent of the General Assembly that all yard waste
14 drops sites in New Castle County remain operational unless otherwise directed by the General Assembly.

15 **Section 70. Auburn Valley Project.** The implementation of the transportation, stormwater
16 management, demolition, remediation, redevelopment, and parks and recreation element of the Auburn
17 Valley Master Plan shall not be subject to the zoning, subdivision, land use, or building code ordinances or
18 regulations of New Castle County.

19 **Section 71. Conservation District Contracting.** Notwithstanding any statutory provision or
20 regulation to the contrary, it is the intent of the General Assembly that the Department of Natural Resources
21 and Environmental Control may enlist Delaware's conservation districts as provided in 7 Del. C. c. 39 to
22 advance the purposes of this chapter. All contracts shall be subject to the provisions of 29 Del. C. § 6960.

23 **Section 72. Recycling Cash Flow.** The Department is hereby authorized, consistent with 7 Del.
24 C. c. 60 and 30 Del. C. c. 29, to issue grants and loans to assist persons engaged in the business of
25 collecting, transporting, processing, or marketing recyclable materials, including yard waste. To that end,
26 the Secretary shall be authorized to borrow up to ~~\$22,000,000~~ 6,000,000 in combination from the

1 Delaware Land and Water Conservation Trust Fund Endowment Account, the Parks Endowment Account,
2 the Beach Preservation Appropriation Account and the Resource, Conservation and Development
3 Appropriation in order to fund activities pursuant to 7 Del. C. § 6054 and § 6055. Any funds borrowed
4 from such accounts shall be paid back in full by no later than June 30, 2015, from fees generated pursuant
5 to 30 Del. C. c. 29. To the extent that borrowing results in reduced revenues to the Department for
6 programs that rely on interest from these accounts, principal from the account may be used to offset up to
7 the amount of lost interest revenue and shall be repaid by fees generated pursuant to 30 Del. C. c. 29. A
8 report must be submitted regarding funds borrowed and update on the recycling program to the Director of
9 Office and Management and Budget and the Controller General's Office by October 15, ~~2011~~2012 and
10 April 15, ~~2012~~2013.

11 **Section 73. Bay View.** In accordance with the provisions of 77 Del. Laws, c. 329 § 90, the
12 Department is hereby authorized to spend up to \$200,000 in prior year funds from the Beach Management
13 Account for the purpose of stabilization and/or restoration of the beach at the community of Bay View. No
14 new appropriations shall be made for this purpose. These funds shall be used for the acquisition of
15 additional scientific data, and/or preparation of local, state, and federal permit applications for this project
16 and may be added to subsequent year appropriations for construction of this protective beach and terminal
17 structure to assist in stabilizing the beach. Project oversight and implementation will be provided through
18 the New Castle Conservation District. Prior to any construction, all applicable local, state and federal
19 permitting requirements shall be met. The Department's interim policy for Coastal Lands Restoration
20 Projects shall apply and prior to commencement of any construction, a written agreement between the
21 Department and the community shall be signed by appropriate parties and will address applicable policy
22 considerations. Any funds borrowed from the Beach Management Account shall be restored through Bond
23 Bill appropriations no later than August 1, 2015.

24 **Section 74. Redevelopment of Strategic Sites.** The Section 1 Addendum to this Act appropriates
25 ~~\$2,500,000~~\$2,175,000 to the Department of Natural Resources and Environmental Control for the
26 redevelopment of strategic sites.

1 (a) ~~\$2,250,000~~\$2,000,000 shall be used for the remediation and redevelopment of the former NVF
2 Facility in Yorklyn, along the Red Clay Creek.

3 (b) ~~\$250,000~~\$50,000 shall be used to develop ~~a plan for the redesign and redevelopment of the Fort~~
4 ~~DuPont complex in Delaware City that encourages economic development that is compatible with current~~
5 ~~historic structures and recreational purposes~~demolition plans, specifications, and related permitting for
6 those portions of the Fort DuPont site that are not historic and are slated to be demolished under the
7 development plan for the site. ~~The Department of Natural Resources and Environmental Control shall work~~
8 ~~with the Delaware Economic Development Office, the Delaware State Housing Authority and the~~
9 ~~Department of Transportation to submit a joint plan for the development of these sites to the Director of the~~
10 ~~Office of Management and Budget and the Controller General by October 15, 2011.~~

11 **Section 75. Floodplain Studies.** Interest accrued in the amount of \$552,791 has been appropriated
12 to the 21st Century Fund Resource Conservation and Development drainage account in the following years
13 without being allocated to a specific project:

14	<u>FY2001-400304-20749</u>	<u>\$ 4,064</u>
15	<u>FY2004-400304-20749</u>	<u>297,387</u>
16	<u>FY2005-400304-20749</u>	<u>74,375</u>
17	<u>FY2006-400304-20749</u>	<u>142,406</u>
18	<u>FY2007-400304-20749</u>	<u>34,559</u>

19 These funds shall be used for floodplain studies and mapping updates in accordance with approved
20 FEMA standards throughout the state with \$100,000 appropriated to each County. The remaining \$252,791
21 will be used for projects in watershed locations determined by the Secretary of the Department of Natural
22 Resources and Environmental Control with assistance from the County Conservation Districts, the
23 Delaware Clean Water Advisory Council and the Delaware Hazard Mitigation Advisory Council.

24 **Section 76. Conservation Districts Resource, Conservation and Development Projects.** It is the
25 intent of the General Assembly that the Office of Natural Resources, Division of Watershed Stewardship
26 and the Conservation District as established by 7 Del. C. c. shall have the authority to transfer Twenty First
27 Century Funds among projects that are located within their respective districts. Projects into which funds
28 are transferred shall have their full non Twenty First Century funding in place before any such transfer can

1 occur and in no case shall any project from which funds are taken be dropped from the project list for
2 construction when funds become available. The Office of Natural Resources, Division of Watershed
3 Stewardship shall report a list of completed transfers to the Director of the Office of Management and
4 Budget and the Controller General on December 15, 2011 and May 15, 2012. It is the intent of the General
5 Assembly that the Office of Natural Resources, Division of Watershed Stewardship and the Conservation
6 District(s) as established by 7 Del. C. c. 39 shall have the following authorities:

- 7 (a) Within the same county, funds appropriated in any Fiscal Year shall be used for the completion
8 of any Twenty-First Century Fund Project approved by the Joint Committee for Capital
9 Improvement. Funds remaining from completed projects may be utilized for any project
10 approved as part of any Fiscal Year Capital Improvements Act. The funds appropriated are to
11 be utilized for planning, surveying, engineering and construction of approved projects.
- 12 (b) For water management and drainage projects undertaken by the Department of Natural
13 Resources and Environmental Control's, Office of Natural Resources, Division of Watershed
14 Stewardship and the Conservation Districts using Twenty-First Century Fund Resource,
15 Conservation and Development funds, the required non-Twenty-First Century Fund match shall
16 be a minimum of 10 percent of the total project cost for any project.
- 17 (c) Approved projects remain on the approved project list until completed or discontinued by the
18 Division of Watershed Stewardship or Conservation District(s) because of engineering,
19 landowner consent or other issues that render a cost effective solution to drainage or flooding
20 problem unlikely. The projects recommended to be discontinued will be identified on the
21 annual report submitted to the Joint Committee for Capital Improvement.
- 22 (d) In December and May of each year the Division of Watershed Stewardship shall submit a
23 financial report of fund activity including expenditures by fiscal year appropriated for each
24 county to the Office of Management and Budget and the Office of the Controller General.
25 Accounting and financial management for the 21st Century Fund will be based on the current
26 pro-rated allocation of funds for each county and not based on specific project allocations.

- 1 (e) The Division of Watershed Stewardship will submit an annual report to the Joint Committee for
2 Capital Improvement at the Resource, Conservation and Development hearing detailing project
3 status including those projects recommended for discontinuation. The annual report will also
4 include a request for funding that will identify the total unexpended balance of the fund and the
5 total projected needs of the project estimates to date. A list of new projects will also be
6 identified and submitted for approval by the Joint Committee for Capital Improvement.
- 7 (f) When a proposed tax ditch project or other water management project traverses county lines, if
8 approved by the Joint Committee for Capital Improvement the project shall be added to the
9 project list in both counties.

1 **DEPARTMENT OF TRANSPORTATION**

2 **Section 77. 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 ~~\$432,624,900~~\$852,684,310
6 (State: ~~\$219,488,000~~\$173,496,556; Federal: ~~\$203,347,300~~\$205,383,602; Other: ~~\$9,789,600~~\$473,804,152)
7 are authorized to be withdrawn from the Transportation Trust Fund to carry out the projects and programs
8 as set forth in the Section 1 Addendum of this Act.

9 ~~(b) New Transportation Trust Fund Debt Authorizations.~~ ~~To fund a portion of the projects~~
10 ~~authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an amount~~
11 ~~not to exceed \$138,929,253 pursuant to the provisions of 2 Del. C. c. 13 and c. 14, of which not more than~~
12 ~~\$129,882,000 plus premium shall be used for purposes set forth in the Section 1 Addendum of this Act with~~
13 ~~the remainder, not to exceed \$9,047,253 to be used to fund issuance costs and necessary reserves for the~~
14 ~~Reserve Account.~~

15 **Section 78. US 301 Revenue Bonds.** The Delaware Transportation Authority is hereby authorized
16 to issue revenue bonds in a principal amount sufficient to finance the construction of the US 301 mainline,
17 including capitalized interest, cost of issuance and reserve requirements. The Secretary of the Department
18 of Transportation in concurrence with the Director of the Office of Management of Budget, the Secretary of
19 Finance, and the Controller General, shall determine the time and the exact amount of the sale. Such
20 revenue bonds may be secured by a pledge of the toll revenue generated by US 301 and the Transportation
21 Trust Fund revenue.

22 **Section 79. Maintenance and Operations Facilities.** Building structures and facilities
23 constructed, or to be constructed, within the Department of Transportation's operating right of way that
24 facilitate maintaining the highway system and are used to assist in the operational and maintenance
25 activities for all roads, shall not be subject to zoning, subdivision, or building code ordinances or
26 regulations by any political subdivision of the State. Types of structures may include; equipment sheds,

1 crew quarters, equipment maintenance , equipment washing , material storage sheds (i.e. salt, sand and
2 other bulk materials), fuel centers; and other maintenance structures required to maintain the highway
3 system such as security (cameras and fences) including necessary maintenance and replacement items such
4 as upgrades to existing facilities. The Department shall not construct any such facility without first
5 conducting a public workshop to describe such plans and gather public input into the effect of such plans.

6 **Section 80. Transportation Enhancements.** (a) It is the intent of the General Assembly that the
7 Department provide notice to all State agencies, political sub-divisions within the State, and other parties of
8 the availability of, and rules governing, the Transportation Enhancements program. Such notice shall
9 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and
10 such other requirements as may be necessary to insure that any interested entity may work to become a
11 participating recipient under the program. For new projects, the Department of Transportation is directed to
12 submit a detailed list of all projects funded within the Transportation Enhancement Program to the Office of
13 Management and Budget and Office of the Controller General on an annual basis. The State funding for
14 this program shall be limited to the required 20 percent match of the related Federal Authorization. The
15 projects funded by this program shall be limited to the allowable categories as outlined by the Federal
16 Highway Administration. Any deviation from this process must be approved by the Office of Management
17 and Budget, Office of the Controller General and Co-Chairs of the Joint Committee on Capital
18 Improvements.

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

22 **Section 81. Grants and Allocations.** The Section 1 Addendum of this Act appropriates the sum
23 of ~~\$20,075,000~~\$21,750,000 (State) for projects within the Grants and Allocations classification. The
24 General Assembly further defines its intent with respect to those appropriations as follows:

1 (a) The sum of ~~\$15,075,000~~\$16,750,000 (State) shall be used for the Community Transportation
2 Fund, in accordance with the rules and regulations as adopted by the Joint Legislative Committee on the
3 Capital Improvements Program, as amended from time to time.

4 ~~(b) The sum of \$1,000,000 (State), added to the Fiscal Year 2011 allocation of \$4,000,000 shall be~~
5 ~~used for the Municipal Street Aid program, pursuant to the provisions of 30 Del. C. c. 51 for a total of~~
6 ~~\$5,000,000 for Fiscal Year 2012. The additional funding will be only dedicated to improvements involving~~
7 ~~respective municipalities' roads and bridges.~~

8 (b) The sum of \$5,000,000 (State) shall be used for the Municipal Street Aid program pursuant to
9 the provisions of 30 Del. C. c. 51. Of this amount, \$1,000,000 shall be dedicated to improvements
10 involving respective municipalities' roads and bridges and sidewalks and crosswalks associated with said
11 projects.

12 **Section 82. Municipal Street Aid.** Of the funds allocated to Municipal Street Aid in 78 Del.
13 Laws, c.76, Section 97 (b), the sum of \$1,000,000 was dedicated solely to improvements involving
14 respective municipalities' roads and bridges and sidewalks and crosswalks associated with said projects.
15 This requirement shall remain in effect for any remaining unexpended funds carried over into Fiscal Year
16 2013.

17 **Section 83. Municipal Street Aid Eligible Uses.** It is the intent of the General Assembly that
18 beginning with Fiscal Year 2014, expenses of law enforcement for the policing of municipal streets,
19 including, but not limited to salaries, equipment, vehicles and supplies shall no longer be an eligible use of
20 Municipal Street Aid Funds.

21 **Section 84. 5310 Program.** The Delaware Transit Corporation is authorized to expend up to
22 ~~\$1,329,700~~\$1,338,064 (~~\$859,200~~\$867,613 State; ~~\$470,500~~\$470,451 Federal) from the Transit System
23 classification (~~73/0097301~~) appropriated in this Act for the 5310 Program, administered by the Federal
24 Transit Authority.

25 **Section 85. DelDOT Work Impacts on Private Property and its Owners.** When the
26 Department and/or any of its contractors determines that it would be in the best interests of the State to

1 undertake construction/reconstruction work past 9:00 p.m. or before 7:00 a.m., and such work is to be
2 conducted immediately adjacent to a residential neighborhood;

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

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

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

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

25 **Section 86. Indian River Inlet Bridge.** State funds authorized in this and previous Acts of the
26 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the

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

12 **Section 87. City of Wilmington Beautification.** In order to maintain the urban tree canopy
13 available in the City of Wilmington, the General Assembly authorizes and directs the Department to
14 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware
15 Center for Horticulture (Center) and/or Urban Forestry in the Department of Agriculture. It is the intent of
16 the General Assembly that such program shall be funded exclusively by allocations made from time to time
17 by members of the General Assembly from their Community Transportation Funds (CTF). The Department
18 shall make payments to the Center and/or Urban Forestry in the Department of Agriculture for work
19 accomplished, and appropriately vouchered, from the CTF funds herein identified.

20 **Section 88. Supplies of Road Materials.** ~~Section 109 of 74 Del. Laws, c. 308~~74 Del. Laws, c.
21 308 § 109 is suspended until such time as the Department of Transportation shall suggest its re-institution
22 and such suspension has been overridden by an Act of the General Assembly.

23 **Section 89. System Capacity Preservation.** The General Assembly hereby determines that it is in
24 the public interest to limit future residential, commercial, or industrial growth along certain portions of the
25 State's highway network. Such potential growth would produce unsafe driving conditions as increased
26 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations

1 through the State. The General Assembly further determines that it would be infeasible or imprudent for
2 the Department to attempt to design and construct modifications to the State's highway network adjacent to
3 these locations because such improvements would irrevocably destroy the important scenic and historic
4 nature of the view sheds and other environmental attributes associated with these locations. Accordingly,
5 the Secretary of the Department of Transportation (Secretary) is authorized and directed to use State funds
6 appropriated to the Transportation Enhancements program authorized and funded in the Section 1
7 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as
8 may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary
9 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds
10 for these purposes shall be with the review and approval of the Director of the Office of Management and
11 Budget and Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and c. 95 shall govern
12 such purchases, and any other purchase by the Department authorized by this Act.

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

18 **Section 90. Denny Road/Route 896 Alignment Completion.** Upon completion and final
19 inspection of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two
20 parcels (0.93 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of
21 Meadow Glen, shall revert back to the community which had owned said parcels prior to 1994.
22 Notwithstanding the provisions of 17 Del. C. § 137, the Department shall deed these parcels to the
23 community and remain in their possession in perpetuity.

24 **Section 91. Port of Wilmington.** Subject to the review and approval of the Board of Directors of
25 the Diamond State Port Corporation (DSPC):

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

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

15 **Section 92. Wakefield Drive.** The Department of Transportation shall be prohibited from
16 reopening Wakefield Drive in Newark through to Old Baltimore Pike.

17 **Section 93. Community Transportation Funding Levels.** The Department is directed to account
18 for the Community Transportation Program funds as cash which shall be equal to the amounts authorized in
19 Appendix A of this Act as well as previous Bond and Capital Improvements Acts. The funds authorized
20 within the Community Transportation program shall not be subject to reallocation by the Department under
21 any circumstances.

22 **Section 94. Design-Build Contracts.** The Department of Transportation is hereby authorized to
23 continue utilization of the design-build contract mechanism for a total of twelve transportation construction
24 projects (~~nine~~ ten of which have been authorized). Design-build is a project delivery method under which a
25 project owner, having defined its initial expectations to a certain extent, executes a single contract for both
26 architectural/engineering services and construction. The selection processes and other terms of such

1 contracts may vary considerably from project to project. The design-build entity may be a single firm, a
2 consortium, joint venture, or other organization. However, the fundamental element of design-build
3 delivery remains that one entity assumes primary responsibility for design and construction of the project.
4 The Department of Transportation is authorized to continue the use of these experimental approaches to
5 completing its projects, subject to the following conditions:

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

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

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

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

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

21 **Section 95. New Development Road Widening.** When planning and/or permitting additional
22 road widening directly related to new residential development, the Department of Transportation, Division
23 of Planning, shall make every attempt to require the necessary right-of-way land be acquired from the
24 developer owned land.

25 **Section 96. W. L. Gore Site.** In evaluating and recommending improvements to the transportation
26 system related to the development of what is known as the W.L. Gore site, located in New Castle County

1 and situated on the north side of Sunset Lake – east of SR 896 and southeast of Old Cooch’s Bridge Road,
2 the department will make every effort to ensure that the improvements made facilitate and encourage traffic
3 to travel toward and use SR 896 and to discourage additional use of Old Cooch’s Bridge Road east of the
4 entrance to the W.L. Gore property. This is in recognition of the historic characteristics of Old Cooch’s
5 Bridge Road in the vicinity of the intersection with Old Baltimore Pike.

6 **Section 97. Route 301 Spur Road Segment.** The General Assembly directs the Department to
7 implement the US 301 Corridor project in Phases, beginning with the US 301 mainline section.

8 **Section 98. Astra Zeneca Project.** The Department shall carry out property boundary
9 adjustments and easements for transit, bicycle and pedestrian, storm water management, wetlands and
10 stream restoration, beautification, historic preservation, conservation and other improvements in concert
11 with DNREC, DEDO, City of Wilmington, New Castle County, New Castle County Conservation District,
12 and such other public and private entities as may be necessary to accomplish timely completion of the Blue
13 4 Ball Master Plan.

14 **Section 99. Buck Road.** The Department of Transportation is requested to refrain from issuing
15 any entrance permit, authorization, or approval for use of any entrance way from New Castle County Parcel
16 Number 0702600094 onto Buck Road, until such time as it also certifies by letter to the New Castle County
17 Department of Land Use that the developer’s proposed entrance design ~~meets~~ conforms with the
18 Department’s ~~standards~~ subdivision requirements, pursuant to its authority under ~~Title-17~~ Del. C. § 146 and
19 its related regulations, intended to protect public safety and maintain smooth traffic flow. The government
20 of New Castle County is also requested to solicit comments from and work with the residents of
21 surrounding communities, community organizations, and State and local officials to address traffic safety
22 and other legitimate land use concerns about the proposed development, after the receipt of the
23 Department’s letter. The design of the entrance on Buck Road for Greenville Center will include a
24 sidewalk from the entrance to the surrounding Greenville Manor Community on Ardleigh Drive.

25 **Section 100. Routes 141 and 48.** The Department of Transportation is requested to refrain from
26 issuing any permit, authorization, or approval for use of any new, additional, revised, or modified entrances

1 for New Castle County Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-
2 055, 07-032.20-057 and 07-032.30-072 onto or from Route 141 or Route 48, until such time as the
3 Department obtains, reviews, and comments upon a traffic operations analysis for the area, which among
4 other elements addresses (1) the predicted levels of service on intersections, roadways, or the Tyler
5 McConnell Bridge affected by the proposed development of these parcels, and (2) the roadway
6 improvements necessary to accommodate the development of these parcels, based upon the exploratory
7 development plans submitted to the New Castle County Department of Land Use by the developer, as
8 required by the County's Unified Development Code (UDC). To the extent that any submission of
9 proposed development plans is substantially different than the original exploratory development plans
10 submitted to the County, the Department is further requested to assess the impact of the new submission's
11 traffic generation upon the local transportation network. The scope of the assessment shall be at the
12 reasonable discretion of the Department.

13 **Section 101. Delaware Children's Theatre.** Notwithstanding the provisions of 17 Del. C. §
14 137(b), the Department of Transportation is hereby authorized to deed a 0.16 acre parcel, of unused
15 operating State right of way adjacent to New Castle County Tax Assessment map parcel #26-021.30-124,
16 located at 1014 Delaware Avenue, Wilmington, Delaware to the Delaware Children's Theatre. Said parcel
17 shall be deeded with complete vehicular denial of access along the right of way and shall be subject to any
18 existing utilities of record. The deed shall have a reversionary clause should the Department ever need a
19 portion for a public purpose project.

20 **Section 102. DMV New Castle Facility.** (a) Section 1 of this Act makes an appropriation to the
21 Department of Transportation, Support Systems; under Transportation Facilities appropriation for the
22 design and construction of a new Division of Motor Vehicle (DMV) facility in New Castle County. The
23 new facility will be located at the existing Mid County transit hub, which is currently owned by DelDOT.
24 This new facility will replace the current DMV site currently located on Airport Road. While funding for
25 the project is included in the Transportation Trust Fund, and is proposed to be matched with federal
26 congestion mitigation funds, the Office of Management and Budget (OMB) – Division of Facilities

1 Management will manage the construction process with oversight from DelDOT's Support Services
2 personnel.

3 (b) It is the intent of the General Assembly that the Department of Transportation provide for an
4 inclusive and open process whereby the views and ideas of the residents in the neighborhoods surrounding
5 the Airport Road Facility be gathered and provided to the Office of Management and Budget and
6 considered prior to any future plans or commitments being made regarding the facility.

7 **Section 103. Red Light Safety Enforcement.** (a) The program shall continue to use recognized
8 safety and accident criteria in determining whether and where to add any new enforcement locations to this
9 program, and in any event shall continue to confirm that any such new locations are not objected to by the
10 incumbent state Senator and Representative for the districts in which such locations are proposed.

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

17 **Section 104. Craft Training.** The Department of Transportation is authorized to engage in up to
18 two project procurements (one in New Castle County and one in Kent County) utilizing the craft training
19 and apprentice program called for in 29 Del. C. § 6962(c), on an experimental basis. Any contractor that
20 performs work in multiple trades on a road construction project under the craft training experiment will
21 have an apprenticeship in at least one, not all of the trades on the project to comply with this experiment.
22 Upon the completion of these experiments, the Department shall report to the Joint Legislative Committee
23 on the Capital Improvement Program with its assessment of the program including, but not limited to, cost
24 savings, project quality and worker safety.

25 **Section 105. Chestnut Hill Road Parcel.** The provisions of 17 Del. C. § 137 notwithstanding, the
26 Department of Transportation is authorized to enter into agreements with other governmental agencies,

1 either directly or in concert with a private entity, regarding a Department-owned parcel known as NC227,
2 tax parcel no. 11-003.30-027, on terms the Department Secretary deems appropriate, for purposes of
3 evaluating the costs and benefits of fuel cell technology from environmental and economic development
4 perspectives, which the General Assembly hereby finds is an appropriate public purpose.

5 **Section 106. Delaware Solid Waste Authority.** Through a series of Custodial Resolutions dating
6 back to June 29, 1979 the Department of Transportation made available to the Delaware Solid Waste
7 Authority (DSWA) three parcels of land designated as parcels “A”, “B” and “C” which were of no further
8 use to the Department and which have since been incorporated into DSWA’s Central Solid Waste Facility
9 (Sandtown) Landfill Operations. The provisions of 17 Del. C. ~~Section~~ § 137 notwithstanding, the Secretary
10 of the Department is authorized and directed to transfer to DSWA by quitclaim deed all its right, title and
11 interest to Parcels “A”, “B” and “C” as shown on the Plot designated as Exhibit No. 1 to the Custodial
12 Resolution between DelDOT and DSWA dated December 10, 1998, such transfer to be made within ninety
13 (90) days of the date of this enactment.

14 **Section 107. Rehabilitation of Public Streets, Industrial Parks.** In order to maintain a safe,
15 attractive, and efficient network of public streets serving the state’s growing inventory of industrial parks,
16 the General Assembly hereby authorizes the Department to spend sums not exceeding \$250,000 on a pilot
17 program to address this issue. The Department shall prepare an inventory of all public streets within the
18 state’s industrial parks. It shall further rank all of these streets in the same manner that it prepares the
19 annual program of roads eligible for the Paving and Rehabilitation Program authorized elsewhere in this
20 Act. The Secretary shall then distribute this list to all members of the General Assembly, together with an
21 estimate of the amounts necessary to address those public streets in this inventory most in need of repair. If
22 a member of the General Assembly elects to allocate funds from his/her Community Transportation Fund
23 (CTF) to repair any of these public streets, the Secretary may draw on this appropriation to match those
24 individual CTF dollars on the basis of \$1 dollar from this special account for every \$1 dollar allocated by
25 the member. The Secretary shall notify all members of his intent to make such matching allocations, and
26 shall require any member interested in participating to notify the Department of his/her interest in

1 participating by a date certain, not less than one month from the date of such announcement. In the event
2 that the sum of all individual Member requests exceeds the amounts authorized by this section, the
3 Department shall prioritize the industrial park streets to be improved on the basis of the ranking required by
4 this section, and shall share its decisions with all members of the General Assembly. For purposes of
5 preparing this inventory and ranking, the Department is authorized and directed to expend such sums as
6 may be necessary from the accounts established for statewide paving and rehabilitation activities.

7 **Section 108. Community Transportation Fund.** The Department of Transportation is directed to
8 meet with one Senator and one Representative from each county to evaluate the rules governing the Joint
9 Legislative Committee on the Capital Improvements Program Rules for projects funded through
10 Community Transportation Funds. The Department shall prepare a report and present the report to the co-
11 chaairs of the Joint Legislative Committee on the Capital Improvement Program by December 30, 2012.

12 The Department of Transportation will provide an annual financial report regarding projects funded
13 through Community Transportation Fund and will report to the co-chairs of the Joint Legislative Committee
14 on the Capital Improvement Program by June 30 of each fiscal year.

15 **Section 109. West Dover Connector.** (a) The State recognizes the Department of
16 Transportation's West Dover Connector Project as a high priority for the City of Dover and for Kent
17 County. The project will improve the flow of traffic and reduce congestion for Dover's west side, and
18 provide additional connections for pedestrians and bicycles. In developing the project, the Department
19 worked with officials from Dover, the City of Camden, the Town of Wyoming, Kent County Levy Court, as
20 well as property owners and the public. In connection with this project, the headquarters of the Delmarva
21 Council of the Boy Scouts of America will be located on a portion of a property affected by the project,
22 identified previously as County Tax Map Numbers (2-00-085.00-02-04.00-00001) and (2-00-085.00-02-
23 05.00-00001) and identified currently as (2-00-085.00-02-04.00-00001), (2-00-085.00-02-05.00-00001), (2-
24 00-085.00-02-05.02-00001), and (2-00-085.00-02-05.03-00001). In addition, woods and fields will be
25 preserved for use by Boy Scouts. The County will construct active recreation facilities on another portion
26 of the property and the project will provide context-sensitive access to the property.

1 (b) The State notes the cooperative efforts of the Department and the Boy Scouts concerning their
2 respective projects. To realize some of the benefits of these efforts, a twelve-hundred-foot portion of one of
3 the access roads needs to be constructed as part of the Boy Scouts' project, to allow access to the Boy
4 Scouts' property to be constructed and opened for traffic, and avoid the construction and subsequent
5 demolition of a temporary driveway.

6 (c) Therefore, and notwithstanding any provision of state law to the contrary, the Department is
7 authorized to enter into such agreements it deems necessary and proper to reimburse the Delmarva Council
8 of The Boy Scouts of America for its actual expenditures for the creation of the public portion of the access
9 road needed to reach its entrance, provided that (a) such reimbursement will not exceed the unit prices
10 historically paid by the Department for the work items, and (b) the road improvements for which the
11 Department reimburses the Boy Scouts are built to Department standards, and (c) the construction of these
12 improvements has been inspected and accepted by the Department or its authorized agents.

13 **Section 110. Weldin House.** WHEREAS, the State of Delaware, acting through the Department
14 of Transportation (hereinafter referred to as the "Grantee" or "DelDOT") entered into an Permanent
15 Conservation Easement Agreement with Sycamore Development Group, LLC (hereinafter referred to as
16 "Grantor") on December 22nd, 2005. This Permanent Conservation Easement Agreement (hereinafter
17 referred to as the "Agreement") between the Grantee and the Grantor was for the fee simple conveyance of
18 a parcel of land in New Castle County of the State of Delaware, identified as Tax Parcel Number 06-
19 139.00-158, This parcel includes a building known as the Jacob Weldin House which is a historic landmark
20 in a condition of disrepair and in need of significant restoration. Due to the historic value of the parcel and
21 the need for the building on the lot to be restored, title was conveyed to Grantor which included a multitude
22 of limitations and conditions that would be imposed upon the Grantor, including a Permanent Conservation
23 Easement Agreement that required Grantor to perform many delineated actions. It is noteworthy that the
24 Agreement required the Grantor to preserve and protect the conservation values of the property and to
25 complete the restoration and rehabilitation and renovation of the Jacob Weldin House in a timely manner.
26 This Agreement expressly allowed DelDOT, as the Grantee of this parcel, to be able to take actions against

1 the Grantee to enforce the Agreement if a factual situation arose that would require such actions. DeIDOT is
2 the only entity that is authorized pursuant to the terms of this Agreement, after certain notice provisions are
3 accomplished to bring an action at law or in equity in a court to enforce the terms of the Agreement and to
4 obtain temporary or permanent injunctions to require the restoration of the Jacob Weldin House to its prior
5 condition.

6 It is clear to anyone who looks upon the Jacob Weldin House, that almost no rehabilitation work
7 has been performed on the Jacob Weldin House, and that the Grantor has failed to meet its obligations as
8 required by the Agreement. As DeIDOT is the only entity that has standing to enforce the Agreement
9 against Grantor, the General Assembly hereby requests DeIDOT to immediately and timely take actions to
10 enforce the Agreement against the Grantor. DeIDOT is further requested to continue its ongoing efforts to
11 timely address the Grantor's requirement to abide by the terms of the Agreement until Grantor has either
12 fully fulfilled its obligation or until a court of law or equity has ordered that the title to the Jacob Weldin
13 House be returned to Grantee, due to the actions of the Grantor.

14 **Section 111. Lewes Trail Head.** The Department is directed to study the options reasonably
15 available to the agency to place a bicycle/pedestrian trailhead within the City of Lewes, adjacent or
16 connected to the Lewes to Georgetown Rail with Trail Project now under development. The study includes
17 consideration of amenities such as accessibility, comfort stations, parking, and the financial costs.
18 Representatives of the City of Lewes shall be invited to participate in the study. It shall be completed no
19 later than September 1, 2012, and shared with representatives of the City of Lewes and Sussex County
20 Representatives and Senators.

1 **DEPARTMENT OF AGRICULTURE**

2 **Section 112. Farmland Preservation.** For the fiscal year ending June 30, ~~2012~~2013, ~~upon~~
3 ~~passage of legislation establishing the Farmland Purchase and Preservation Loan Program (“Delaware~~
4 ~~Young Farmer Program”)~~, \$3,000,000 of the \$10,000,000 allocated for Farmland Preservation Funding
5 ~~shall~~may be utilized by the Aglands Preservation Foundation in accordance with the rules and policies for
6 the Delaware Young Farmer Program in accordance with 3 Del. C. c. 9. All remaining state-appropriated
7 funds shall be utilized by the Aglands Preservation Foundation to preserve eligible farms statewide through
8 the traditional farmland preservation program at its discretion in accordance with Aglands Foundation rules
9 and policies. Local jurisdiction funds committed to farmland preservation for Fiscal Year ~~2012~~2013 shall
10 be spent to preserve farmland only in the respective jurisdictions where the funds originate. Farms to be
11 preserved shall be selected by the local jurisdictions according to the jurisdictions selection criteria from
12 eligible farms as listed by the Aglands Preservation Foundation. Similarly, any funds provided by
13 nongovernment organizations shall be spent according to their selection criteria from eligible farms as listed
14 by the Aglands Preservation Foundation.

1 **FIRE PREVENTION COMMISSION**

2 **Section 113. 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,
4 ~~Minquadale and Talleyville~~Claymont, Wilmington Manor, Carlisle and Citizen’s Hose fire companies.
5 Upon submitting the receipt of sale, each company will be reimbursed up to \$7,500 by the Fire Prevention
6 Commission - State Fire School (75-02-01).

1 **NATIONAL GUARD**

2 **Section 114. 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 additions and alterations on land adjacent to the existing Dagsboro Readiness Center. To
5 enable the pursuit of a design/build methodology for this project, all provisions of 29 Del C. c. 69 are
6 hereby waived with the exception of § 6960 related to prevailing wage.

1 **DELAWARE STATE UNIVERSITY**

2 **Section 115. Convocation Study.** The Section 1 Addendum to this Act appropriates \$250,000 to

3 Delaware State University for a Convocation Center Feasibility Study. It is the intent of the General

4 Assembly that such funding will not commit the state to future construction expenditures.

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 **Section 116. 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.

DEPARTMENT OF EDUCATION

Section 117. School Building and Custodial Verification. By September 30 of each calendar year, each school district shall notify the Department of Education of its intended use for each school building and administrative office building. School districts shall notify the Department about changes in the use of such buildings to include the sale of property, closing of a building, lease of property to another agency, and additions and renovations. The Department of Education shall establish a standard reporting mechanism that school districts shall utilize to gather and submit required information.

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

Section 118. Land Donation for School Construction. Any land donated to a school district with an approved major capital improvement program shall be required to return to the State one-half of the State share amount originally budgeted for land purchase costs. In such case, the district shall be entitled to keep the remaining one-half State share amount, as well as the full local share amount in accordance with the certificate of necessity.

Section 119. Minor Capital Improvements. It is the intent of the General Assembly that the sum of ~~\$10,023,800~~ \$10,343,800 allocated in the Section 1 Addendum to this Act be used for minor capital improvements to school buildings in the following amounts. Districts must use the funds in the amounts below on projects listed on the facility assessment website hosted by the Department of Education.

<u>School District</u>	<u>Maximum State Share</u>	<u>Maximum Local Share</u>	<u>Total Cost</u>
Appoquinimink	\$ 680,046	\$ 453,364	\$ 1,133,410
Brandywine	768,053	512,035	1,280,088
— Special	16,054		16,054
Caesar Rodney	486,227	324,151	810,378
— Special	31,865		31,865
Cape Henlopen	319,189	212,793	531,982
— Special	31,622		31,622

	<u>Maximum</u>	<u>Maximum</u>	
<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Capital	451,929	301,286	753,215
— Special	15,568		15,568
Christina	1,219,761	813,174	2,032,935
— Special	57,771		57,771
Colonial	716,825	477,883	1,194,708
— Special	12,406		12,406
Delmar	93,553	62,369	155,922
Indian River	632,467	421,645	1,054,112
— Special	14,230		14,230
Lake Forest	288,467	192,311	480,778
Laurel	160,105	106,737	266,842
Milford	307,002	204,668	511,670
Red Clay	1,154,013	769,342	1,923,355
— Special	17,027		17,027
Seaford	255,993	170,662	426,655
Smyrna	363,484	242,323	605,807
Woodbridge	159,011	106,007	265,018
New Castle VoTech	574,428		574,428
Polytech	144,124		144,124
Sussex Tech	157,502		157,502
Campus Community	43,857		43,857
Academy of Dover	19,192		19,192
Delaware College Prep Academy	17,806		17,806
DE Military Academy	40,574		40,574
East Side Charter	28,314		28,314
Family Foundations	45,390		45,390

	<u>Maximum</u>	<u>Maximum</u>	
<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Kuumba Academy	18,462		18,462
Reach Academy	16,127		16,127
Maurice Moyer Academy	14,741		14,741
M.O.T. Charter	49,258		49,258
Newark Charter	97,493		97,493
Odyssey Charter	31,963		31,963
Pencader Charter	44,952		44,952
Positive Outcomes	8,538		8,538
Prestige Academy	17,733		17,733
Providence Creek	50,790		50,790
Sussex Academy of Arts	24,008		24,008
Thomas Edison	55,095		55,095
Wilmington Charter	<u>70,785</u>		<u>70,785</u>
Total to Schools	\$9,823,800	\$5,370,750	\$15,194,550
Vocational Equipment	85,000	56,667	141,667
State Board Contingency	<u>115,000</u>	<u>76,667</u>	<u>191,667</u>
TOTAL	\$10,023,800	\$5,504,084	\$15,527,884

21

	<u>Maximum</u>	<u>Maximum</u>	
School District	State Share	Local Share	Total Cost
Appoquinimink	\$703,536	\$469,024	\$1,172,560
Brandywine	794,155	529,437	1,323,592
Special	19,019		19,019
Caesar Rodney	512,979	341,986	854,965
Special	29,460		29,460
Cape Henlopen	342,409	228,273	570,682
Special	31,573		31,573
Capital	457,266	304,844	762,110
Special	17,651		17,651
Christina	1,219,946	813,297	2,033,243
Special	61,033		61,033
Colonial	728,000	485,333	1,213,333
Special	11,685		11,685
Delmar	97,629	65,086	162,715
Indian River	652,672	435,115	1,087,787
Special	14,917		14,917
Lake Forest	291,469	194,313	485,782
Laurel	161,919	107,946	269,865
Milford	309,891	206,594	516,485
Red Clay	1,191,083	794,055	1,985,138
Special	16,532		16,532
Seaford	258,056	172,037	430,093
Smyrna	381,564	254,376	635,940
Woodbridge	168,557	112,371	280,928
New Castle VoTech	591,564		591,564
Polytech	146,679		146,679
Sussex Tech	162,714		162,714
Campus Community	43,407		43,407
Academy of Dover	19,093		19,093

	<u>Maximum</u>	<u>Maximum</u>	
<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Aspira Academy	22,673		22,673
DAPSS	8,726		8,726
Delaware College Prep Academy	20,585		20,585
DE Military Academy	41,692		41,692
East Side Charter	29,908		29,908
Family Foundations	56,012		56,012
Gateway Charter	13,649		13,649
Kuumba Academy	19,391		19,391
Maurice Moyer Academy	14,320		14,320
M.O.T. Charter	50,492		50,492
Newark Charter	100,239		100,239
Odyssey Charter	37,291		37,291
Pencader Charter	37,813		37,813
Positive Outcomes	9,323		9,323
Prestige Academy	22,375		22,375
Providence Creek	51,313		51,313
Reach Academy	19,839		19,839
Sussex Academy of Arts	24,985		24,985
Thomas Edison	54,371		54,371
Wilmington Charter	72,345		72,345
Total to Schools	\$10,143,800	\$5,514,087	\$15,657,887
Vocational Equipment	85,000	56,667	141,667
State Board Contingency	115,000	76,667	191,667
TOTAL	\$10,343,800	\$5,647,421	\$15,991,221

1 **Section 120. Dickinson High School.** Funding provided to the Red Clay School District for
2 Equalization as provided for in the Fiscal Year 2012 Annual Appropriations Act shall be contingent upon
3 the following:

4 (a) The lighted football field at Dickinson High School may be used at night only for Dickinson
5 home games and Dickinson band practice; and

6 (b) The District is required to maintain the fencing between Dickinson High School and the
7 community of Montclare, keep the gate between the properties locked at all times (except by mutual
8 agreement between the District and the Montclare Civic Association), and provide, maintain and replace, if
9 necessary, the Leland Cypress trees along the fence line bordering the homes on Salem Drive.

10 **Section 121. School Construction Fund Transfers.** Notwithstanding any law or other provision
11 to the contrary, the Department of Education, with the approval of the Director of the Office of
12 Management and Budget and Controller General, may transfer funding between major capital construction
13 projects within the respective school districts. These transfers shall not authorize any changes in conditions
14 or incur any obligations in excess of the approved Certificate(s) of Necessity.

15 **Section 122. School District Financial Reviews.** It is the intent of the General Assembly that, for
16 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district
17 financial position report as required under 14 Del. C. § 1507 demonstrate less than one month of carryover,
18 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its
19 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the
20 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the
21 school district's capital construction program.

22 **Section 123. School Construction Contractual Documents.** Effective January 1, 2007, all
23 school districts that receive State funds for major capital construction projects shall use standard bid and
24 contract documents developed by the Office of Management and Budget, Facilities Management. School
25 districts may enhance the standard bid and contract documents with additional contractual or project-
26 specific requirements as long as the enhancements do not diminish and are not in conflict with the

1 provisions of the standard documents. The Department of Education, in consultation with the Office of
2 Management and
3 Budget, Facilities Management, shall approve any modifications or changes to the provisions of the
4 standard bid and contract documents before a school district may use or enhance the modified documents.

5 **Section 124. Brandywine School District Space Consolidation and Grade Reconfiguration.**

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

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

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

1 **Section 125. Milford School District – Access Road.** To insure that property owned by the
2 Milford School District is used in accordance with the priorities established by the Milford School District
3 Board of Education, no state agency or municipality shall use said district property for any type of
4 additional access road without the approval of the Milford School District Board of Education. If the
5 Milford School District Board of Education does not publicly endorse, by affirmative vote, the placement of
6 an additional access road on district property, no state agency or municipality shall be authorized to
7 condemn such district property for said use.

8 **Section 126. Brandywine School District Conveyances.** (a) The General Assembly hereby
9 determines that it is in the public interest to reclaim a portion of the 13.97 acre parcel of land at 500 Duncan
10 Road, Wilmington, DE 19809 (New Castle County tax parcel ID number 06-132.00-188) (the Duncan
11 Road Parcel) held in a governmental capacity by the Brandywine School District in order for the State of
12 Delaware to convey to the Edgemoor Community Center, Inc. (ECC), a not for profit corporation of the
13 State of Delaware, an approximately 3.2 acre portion of said parcel (the ECC Parcel). ECC has provided
14 vital services to the citizens of Delaware since 1978, and has occupied the ECC Parcel exclusively since
15 1989. The General Assembly recognizes that as a titled owner of the ECC Parcel, ECC will be better able
16 to serve the citizens of Delaware and be better positioned to receive grants, including facilities improvement
17 grants. In addition, as a titled holder, ECC may immediately be able to lower its operational costs as it will
18 be able to renegotiate as a secured property holder outstanding debt currently being financed at unsecured
19 debtor rates.

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

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

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

- 25 (1) With the aforesaid side of Brandywine Boulevard this and the next three courses and
26 distances, South 42 degrees, 58 minutes, 38 seconds West, 364.88 feet to a point of
27 curvature, thence;

- 1 (2) By an arc curving to the right having a radius of 666.30 feet, an arc distance of 155.22 feet
2 (CHD=South 49 degrees, 39 minutes, 04 seconds West, 154.87 feet) to a point of tangency,
3 thence;
- 4 (3) South 56 degrees, 19 minutes, 30 seconds West, 24.56 feet to a point in line of Tax Parcel
5 No. 06-132.00-188, thence, through the aforesaid tax parcel the following twenty-seven
6 courses and distances, and also parallel to the proposed curb the next four courses and
7 distances;
- 8 (4) By an arc curving to the right having a radius of 18.00 feet, an arc distance of 9.97 feet
9 (CHD=North 49 degrees, 32 minutes, 37 seconds West, 9.84 feet) to a point, thence;
- 10 (5) North 33 degrees, 40 minutes, 30 seconds West, 59.06 feet to a point of curvature, thence;
- 11 (6) By an arc curving to the left having a radius of 126.00 feet, an arc distance of 89.83 feet
12 (CHD=North 54 degrees, 05 minutes, 57 seconds West, 87.94 feet) to a point of tangency,
13 thence;
- 14 (7) North 74 degrees, 31 minutes, 23 seconds West, 24.34 feet to a point, thence through the
15 existing baseball field;
- 16 (8) North 36 degrees, 43 minutes, 40 seconds East, 199.57 to a point behind the proposed curb,
17 thence, parallel with same the next two courses an distances;
- 18 (9) South 53 degrees, 56 minutes, 32 seconds East, 69.07 feet to an point, thence crossing the
19 proposed lane;
- 20 (10) North 35 degrees, 57 minutes, 46 seconds East, 27.99 feet to a point behind the existing
21 curb, thence parallel to the aforesaid existing curb;
- 22 (11) North 53 degrees, 35 minutes, 55 seconds West, 80.57 feet to a point of curvature, thence;
- 23 (12) By an arc curving to the right having a radius of 70.00 feet, an arc distance of 20.54 feet
24 (CHD=North 45 degrees, 11 minutes, 30 seconds West, 20.47 feet) to a point of tangency,
25 thence;
- 26 (13) North 36 degrees, 47 minutes, 06 seconds West, 14.08 feet to a point of curvature, thence;
- 27 (14) By an arc curving to the left having a radius of 12.50 feet, an arc distance of 3.46 feet
28 (CHD=North 44 degrees, 42 minutes, 59 seconds West, 3.45 feet) to a point of tangency,
29 thence;
- 30 (15) North 52 degrees, 38 minutes, 53 seconds West, 9.04 feet to a point, thence;
- 31 (16) North 46 degrees, 44 minutes, 48 seconds West, 4.76 feet to a point, thence;
- 32 (17) North 54 degrees, 03 minutes, 32 seconds West, 20.41 feet to a point, thence;
- 33 (18) North 25 degrees, 50 minutes, 17 seconds East, 14.16 feet to a corner of an existing loading
34 dock, thence;
- 35 (19) North 28 degrees, 53 minutes, 25 seconds East, 16.46 feet to a point, thence;
- 36 (20) North 34 degrees, 57 minutes, 29 seconds East, 9.27 feet to a point on the exterior building
37 wall, thence through the existing wall;
- 38 (21) South 59 degrees, 52 minutes, 12 seconds East, 4.22 feet to a point in the center of a new
39 division wall, thence, with same;
- 40 (22) North 35 degrees, 34 minutes, 51 seconds East, 17.34 feet to a point on the face of an
41 existing hallway wall, thence;

- 1 (23) South 63 degrees, 46 minutes, 07 seconds East, 1.45 feet to a point on the roof overhang
2 and the edge of an interior courtyard, thence, with same the next two courses and distances;
- 3 (24) North 35 degrees, 50 minutes, 53 seconds East, 95.51 feet to a point, thence;
- 4 (25) South 54 degrees, 48 minutes, 34 seconds East, 6.12 feet to a point in line of a new
5 doorway threshold, thence, with same;
- 6 (26) North 36 degrees, 03 minutes, 21 seconds East, 23.61 feet to a point in line of a retaining
7 wall, thence , with same the next four courses and distances;
- 8 (27) North 53 degrees, 42 minutes, 38 seconds West, 2.07 feet to a point, thence;
- 9 (28) North 35 degrees, 19 minutes, 14 seconds East, 31.69 feet to a point, thence;
- 10 (29) North 54 degrees, 45 minutes, 19 seconds West, 2.47 feet to a point, thence;
- 11 (30) North 35 degrees, 48 minutes, 20 seconds East, 40.90 feet to a point along the existing back
12 of curb, thence, parallel with same the next two courses and distances;
- 13 (31) By an arc curving to the left having a radius of 52.00 feet, an arc distance of 25.11 feet
14 (CHD=North 50 degrees, 07 minutes, 28 seconds East, 24.87 feet) to a point of tangency,
15 thence;
- 16 (32) North 35 degrees, 55 minutes, 26 seconds East, 12.54 feet to a point on the aforesaid side
17 of Brandywine Boulevard, thence, with same;
- 18 (33) South 54 degrees, 04 minutes, 34 seconds East, 337.87 feet to the Point of Beginning.

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

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

22 This conveyance shall be "as is" in that ECC shall accept any buildings erected on the parcel in
23 their present condition as of the time of conveyance, and shall be subject to all other covenants, conditions,
24 restrictions and easements of record, this reference to which shall not be construed to reimpose the same.

25 The Brandywine School District and ECC shall also negotiate in good faith to agree on mutually acceptable
26 easements and agreements to address issues including cross access, maintenance, and shared use of
27 property. Such easements or agreements shall guarantee to ECC continued water and sewer access at costs
28 pro rated to ECC's usage of such water and sewer services, and shall guarantee ECC use of and access to
29 any telephone, security alarm or other such ECC systems that remain on the Duncan Road Parcel but that
30 are not conveyed with the ECC Parcel.

31 All agencies reviewing the Minor Land Development Plan for the expansion of administrative
32 offices at the Duncan Road Parcel (New Castle County Application No. 2010-0235) shall review the plans

1 as the property existed prior to the subdivision of the property as directed herein. In addition, the Delaware
2 Department of Transportation shall grant a time extension of a maximum of twelve (12) months from the
3 time of the issuance of a Certificate of Occupancy for the expansion of the administrative offices by New
4 Castle County to complete the pedestrian improvements required by the Delaware Department of
5 Transportation within the public right-of-way for Duncan Road and Brandywine Boulevard.

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

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

23 Brandywine School District is hereby authorized and directed to convey the CCC Parcel and the
24 Second CCC Parcel to BCRC for the combined consideration of one dollar (\$1.00). The deed to the
25 aforesaid real property shall contain a provision whereby the Brandywine School District shall have the
26 right of first refusal to the property in the event that the BCRC wishes to vacate the property. If the BCRC

1 vacates the property and the Brandywine School District does not exercise its right of first refusal, proceeds
2 from the sale of said property shall be governed by the provisions 14 Del. C. § 1057(a)(15).

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

9 **Section 127. Claymont Community Center.** In connection with the transfer of property directed
10 pursuant to ~~Section § 135(b)~~, 77 Del. Laws, Chapter 329, § 135(b) the Brandywine Community Resource
11 Council Inc. (BCRC) shall be liable for the payment of survey(s) and/or related transaction costs necessary
12 to determine whether any portion of the land that was conveyed pursuant to the above authority are portions
13 of land originally acquired by the Delaware Department of Transportation (DOT) for right-of-way purposes
14 for the construction of Interstate 95. To the extent any survey confirms that any portion of such lands are,
15 in fact, owned by the DOT, and notwithstanding any provisions of 17 Del. C. § 137 to the contrary, the
16 DOT, after receiving any and all necessary approvals from the federal government or any agent thereof for
17 transfer of such land, is further authorized to execute any and all necessary deeds to convey said portions of
18 land to the BCRC and/or the Brandywine School District on the same terms and conditions as the
19 Brandywine School District's related conveyance to the BCRC pursuant to the above authority.

20 **Section 128. Richard Allen School Conveyance.** (a) Notwithstanding the provisions of ~~Title 14~~
21 Del. C. § 1057, the Indian River School District is hereby authorized and empowered to execute and
22 deliver to the Boys and Girls Club of Delaware Inc. a good and sufficient deed to transfer and convey all
23 that certain parcel of land all structures thereon, known as the Richard Allen School located in Sussex
24 County, Delaware (tax parcel 1-35 20-70). This conveyance shall be for consideration of \$1.00, and shall
25 be "as is" in the Boys and Girls Club of Delaware Inc. shall accept the building and land in their present
26 condition as of the time of conveyance.

1 (b) The deed to the aforesaid property shall contain a provision whereby said property will revert to
2 the Indian River School District in the event the property or any part thereof ceases to be used by the Boys
3 and Girls Club of Delaware, Inc.

4 **Section 129. Milford Transfer of Major Capital Construction Funds.** The Milford sSchool
5 dDistrict, with the approval of the Secretary of Education, the Director of the Office of Management and
6 Budget and the Controller General, is authorized to transfer non-obligated major capital improvement funds
7 from the Central Academy Project (Certificate of Necessity #0818C-D) for the construction of an animal
8 science facility and land sciences laboratory on the Kent County Campus to be used by Central Academy
9 and Milford High School students.

10 **Section 130. Christina School District Transfer.** The Christina School District, with the
11 approval of the Secretary of Education, Director of the Office of Management and Budget, and the
12 Controller General, is authorized to transfer non-obligated major capital improvement funds from the
13 William A. Oberle Elementary School Project (Certificate of Necessity #s CN 0333S FY 2003 & CN
14 09333A FY 2009) for District-wide capital improvements considered necessary for the safety and welfare
15 of students. The funds would be used for, but not be limited to, the replacement or repair of existing
16 bleachers and grandstands in the District’s athletic facilities as well as addressing associated accessibility
17 issues. Residual funds, if any, would be utilized for upgrades to in the District’s three High Schools and
18 other urgent capital improvements.

19 **Section 131. Laurel School District Stabilization Fund.** a) The Section 1 Addendum to this Act
20 appropriates \$350,000 to the Office of Management and Budget for the Laurel School District Stabilization
21 Fund. At the request of the Laurel School District, funds may be transferred to the district with the
22 approval of the Secretary of Education, the Director of the Office of Management and Budget and the
23 Controller General to ensure the continued operations of the district. The expenditure of any funds
24 transferred to the Laurel School District pursuant to this section shall be subject to the approval of the
25 Financial Recovery Team in accordance with 14 Del. C. § 1802. It is the intent of the General Assembly

1 that these funds would be used to offset unanticipated operating costs not included in the district's Fiscal
2 Year 2013 operating budget.

3 b) The transfer of funds appropriated in subsection a) shall be considered a loan and all proceeds of
4 said loan shall be paid back to the state without interest within a period not to exceed five years. No later
5 than January 1, 2013 the Laurel School District shall submit a plan to provide for the repayment of the loan
6 subject to the approval of the Secretary of the Department of Education, the Director of the Office of
7 Management and Budget and the Controller General. In the event that said plan is not approved then the
8 Secretary of the Department of Education, the Director of the Office of Management and Budget and the
9 Controller General shall impose a repayment plan. Said plan shall institute a repayment schedule providing
10 for a minimum repayment of loan proceeds of at least ten percent of the original loan amount per year.

11 c) In an effort to address the long-term systemic funding issues facing Laurel and other "property
12 poor" school districts, the Secretary of Education shall establish a committee to review the current financial
13 issues facing said districts and develop potential solutions. Said committee shall consist of, but not be
14 limited to, superintendents and business managers in Sussex County School Districts, and representatives
15 from the Department of Education, the Office of Management and Budget and the Controller General's
16 Office. The committee shall report to the General Assembly and the Governor no later than May 1, 2013.

17 **Section 132. Bond Verification.** All bonds issued, or herein before or herein authorized to be
18 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

19 **Section 133. Inconsistency.** Insofar as the provisions of this Act are inconsistent with the
20 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
21 controlling.

22 **Section 134. Severability.** If any section, part, phrase, or provision of this Act or the application
23 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
24 operation to the section, part, phrase, provision, or application directly involved in the controversy in
25 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder
26 of this Act or the application thereof.

1 **Section 135. Effective Date.** This Act shall take effect in accordance with the provisions of State
2 law.

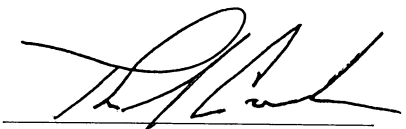
SYNOPSIS

This Bill is the Fiscal Year 2013 Bond and Capital Improvements Act.

DEBT LIMIT STATEMENT FOR FISCAL YEAR 2013

This Debt Limit Statement is to be attached to the Fiscal Year 2013 Bond
and Capital Improvement Act as required by 29 Del. C. §7422.

(1) Estimated Net General Fund revenue for the Fiscal year ending June 30, 2013 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>3,689.7 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, 2013.	\$ 184.485 million
(4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit.	\$ <u>0 million</u>
(5) AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4).	\$ 184.485 million
(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation.	\$ <u>0 million</u>
(7) REMAINING DEBT LIMIT (Line 5 minus Line 6).	\$ <u><u>184.485 million</u></u>



Thomas J. Cook
June 26, 2012

Delaware Department of Transportation
FY2013 Capital Transportation Program
Appendix A
(in \$000's)

	APPR	Other Funding	Federal Authorization	State Authorization	FY 2013 Authorization
ROAD SYSTEM 97000					
A. Expressways					
I-95 & US 202 Interchange	97701		\$19,268.0		\$19,268.0
Road A / SR 7 Improvements	97701		\$960.0	\$740.0	\$1,700.0
SR 1 / I-95 Interchange	97701		\$5,886.5		\$5,886.5
Interstate Maintenance Drainage Repairs	97701		\$2,000.0		\$2,000.0
Roadway Lighting Replacement, I-95	97701		\$1,800.0		\$1,800.0
SR 1 Tybouts Corner to SR 273	97701		\$800.0	\$200.0	\$1,000.0
US 301 Maryland State Line to SR 1	97701	\$471,400.0	\$10,984.5		\$482,384.5
Subtotal Expressways		\$471,400.0	\$41,699.0	\$940.0	\$514,039.0
B. Arterials					
SR 141 Landscaping, Kirkwood Highway to Faulkland Road	97701		\$376.0	\$94.6	\$470.6
SR 2, South Union Street from Railroad Bridge to Sycamore Street, Wilmington	97701		\$3,600.0	\$900.0	\$4,500.0
SR 9, New Castle Ave, 3rd Street to Heald Street	97701		\$400.0	\$100.0	\$500.0
US 40 Program Management	97701			\$50.0	\$50.0
SR 1, SR30 Grade Separated Intersection	97701		\$5,600.0		\$5,600.0
US 113, North / South Improvements	97701		\$1,000.0		\$1,000.0
US 13, Seaford Intersection Improvements	97701		\$6,981.4		\$6,981.4
SR 26, Atlantic Avenue from Clarksville to Assawoman Canal	97701		\$15,000.0	\$6,996.4	\$21,996.4
HSIP Projects	97701		\$21,037.4	\$3,322.3	\$24,359.7
Subtotal Arterials		\$0.0	\$53,994.8	\$11,463.3	\$65,458.2
C. Collectors					
West Dover Connector	97701		\$3,500.4		\$3,500.4
SR 24, Mulberry Knoll to SR 1	97701			\$2,200.0	\$2,200.0
Subtotal Collectors		\$0.0	\$3,500.4	\$2,200.0	\$5,700.4
D. Locals					
Recreational Trails	97701	\$270.0	\$1,080.0		\$1,350.0
Subtotal Locals		\$270.0	\$1,080.0	\$0.0	\$1,350.0
E. Bridges					
Bridge Management Program	97701		\$2,400.0	\$2,200.0	\$4,600.0
Bridge Preservation Program	97701		\$15,585.6	\$3,284.8	\$20,779.0
Subtotal Bridges		\$0.0	\$17,985.6	\$5,484.8	\$23,470.4

**Delaware Department of Transportation
FY2013 Capital Transportation Program
Appendix A
(in \$000's)**

	APPR	Other Funding	Federal Authorization	State Authorization	FY 2013 Authorization
F. Other					
Transportation Enhancements	97701		\$4,262.4	\$388.1	\$4,650.5
Pavement and Rehabilitation	97701		\$17,280.0	\$20,000.0	\$37,280.0
Materials & Minor Contracts	97701			\$5,800.0	\$5,800.0
Signage and Pavement Markings	97701		\$800.0	\$2,400.0	\$3,200.0
Rail Crossing Safety	97701		\$1,242.1	\$1,819.6	\$3,061.7
Safety Improvement Program	97701		\$2,477.8	\$244.4	\$2,722.2
Traffic Calming	97701			\$500.0	\$500.0
Intersection Improvements	97701	\$600.0		\$6,015.0	\$6,615.0
Engineering & Contingency	97701		\$8.0	\$28,287.4	\$28,295.4
Corridor Capacity Preservation	97701			\$3,000.0	\$3,000.0
Bike and Pedestrian Improvements	97701		\$1,000.0	\$10,250.0	\$11,250.0
Subtotal Other		\$600.0	\$27,070.3	\$78,704.5	\$106,374.8
TOTAL ROAD SYSTEM		\$472,270.0	\$145,330.1	\$98,792.7	\$716,392.8
SUPPORT SYSTEM 97600					
Planning	97601		\$5,821.6	\$3,573.5	\$9,395.1
Information Technology	97601		\$270.0	\$7,811.2	\$8,081.2
Heavy Equipment	97601			\$7,700.0	\$7,700.0
Transportation Management Improvements	97601	\$90.0	\$8,789.0	\$2,497.3	\$11,376.3
Transportation Facilities	97601		\$5,962.5	\$17,462.5	\$23,425.0
Engineering & Contingency	97601		\$200.0		\$200.0
Aeronautics	97601		\$175.0	\$568.7	\$743.7
TOTAL SUPPORT SYSTEM		\$90.0	\$21,218.1	\$39,613.2	\$60,921.3
TRANSIT SYSTEM 97300					
Transit Facilities	97301		\$400.0	\$3,750.0	\$4,150.0
Transit Vehicles	97301	\$1,444.2	\$34,175.4	\$9,290.7	\$44,910.3
Rail Preservation	97301		\$4,260.0	\$300.0	\$4,560.0
TOTAL TRANSIT SYSTEM		\$1,444.2	\$38,835.4	\$13,340.7	\$53,620.3
GRANTS AND ALLOCATIONS 95600					
Municipal Street Aid	95601			\$5,000.0	\$5,000.0
Community Transportation Fund	95601			\$16,750.0	\$16,750.0
TOTAL GRANTS AND ALLOCATIONS		\$0.0	\$0.0	\$21,750.0	\$21,750.0
SUB TOTAL		\$473,804.2	\$205,383.6	\$173,496.6	\$852,684.3
GRAND TOTAL		\$473,804.2	\$205,383.6	\$173,496.6	\$852,684.3

Appendix B
F.Y. 2013 Pavement and Rehabilitation Candidate Locations

Route	Road Name	BMP	EMP	Length	Begin Description	End Description
1-00014	Broad St	5.39	5.73	0.34	West Park Place	Rd 39 Broad Street
1-00031	RT 7/ Limestone Rd NB	0.04	0.96	0.92	hot-mix/Pcc joint at RT4	PCC/hot-mix joint at Kirkwood Hwy
1-00031	RT 7/ Limestone Rd SB	12.94	13.82	0.88	PCC/hot-mix joint at Kirkwood Hwy	hot-mix/Pcc joint at RT4
1-00039	Broad St	0.00	0.18	0.18	Rd 14 Broad Street	Cedar Lane
1-00281	Duncan Rd	0.00	0.26	0.26	Greenbank Rd	Kirkwood Highway
1-00332	Newport Rd	0.57	0.67	0.10	Old Capitol Trail	Greenbank Rd
1-006042	I-95 Ramp	0.00	0.55	0.55	RT 273 Westbound	I-95 Northbound
1-006043	Exit 3-5, I-95	0.00	0.36	0.36	I-95 Northbound	RT 273 Eastbound
3-00024	Laurel Rd (Millsboro)	24.89	25.25	0.36	Kendall St	Hot mix Joint West of RT 113
3-00058	Fenwick Rd/ RT 54	1.85	7.10	5.25	Hudson Rd	RT 20
3-00225	Marshall St	1.87	3.36	1.49	Clendaniel Pond Rd	Abbott Drive

**Appendix C
F.Y. 2013 Microsurfacing**

Route	Road Name	BMP	EMP	Length	Begin Description	End Description
1-00002	PORT PENN RD	0.95	3.93	2.98	MARKET ST	REEDY POINT RD
1-00002A	POLKTOWN PLACE	0.00	0.81	0.81	PORT PENN RD	CANAL RD
1-00022D	MECHANIC ST	0.00	0.28	0.28	DUPONT PKWY	DEAD END
1-00030	PADDOCK RD	1.96	3.04	1.08	BLACK DIAMOND RD	EAGLES NEST LANDING RD
1-00037	VANCE NECK RD	0.00	3.36	3.36	BLUEBIRD HAVEN	SILVER RUN RD
1-00051	ANCHOR INN RD	0.00	0.47	0.47	US 13	US 13
1-00304	OLD KIRKWOOD RD	0.00	0.60	0.60	RED LION RD	RED LION RD
1-00336B	TWIN C. RD	0.00	0.43	0.43	DEAD END	DEAD END
1-00389	WHITAKER RD	0.00	0.92	0.92	OLD BALITMORE PIKE	WELSH TRACT RD
1-00401	DEL LAWS RD	0.00	0.98	0.98	PORTER RD	WRANGLE HILL RD
1-00428	SHALLCROSS LAKE RD	0.00	3.04	3.04	MARLPIT RD	BOYDS CORNER RD
1-00432	CHURCHTOWN RD	0.00	1.68	1.68	MD LINE	CHOPTANK RD
1-00456	UNION CHURCH RD	1.48	2.42	0.94	BLACKBIRD LANDING RD	RT 9
1-00459	GREARS CORNER RD	0.00	2.17	2.17	CALDWELL CORNER RD	BLACKBIRD STATION RD
1-00469	BLACK DIAMOND RD	1.17	3.34	2.17	US 13	PADDOCK
2-00009	WOODLAND BEACH RD	5.20	6.30	1.10	RD 320, DE 9	CAUSEWAY
2-00013	FRONT ST / MAIN ST	0.00	0.52	0.52	RD 15, DE 9	RD 15, DE 9, DENNY ST
2-00018	BOWERS BEACH RD / MAIN ST	0.00	1.35	1.35	RD 8 N.B., U.S. 113	RD 18B MAIN STREET
2-00018B	MAIN ST	0.00	0.19	0.19	RD 18 MAIN ST	RD 18A NORTH FLACK AVE
2-00029	WEST CAMDEN-WYOMING AVE/ RISING SUN RD	0.00	4.73	4.73	RD 195, RAILROAD AVE. WEST	RD 24 S.B., U.S. 13
2-00034	FRONT ST	5.13	6.09	0.96	RD 35 CARPENTERS BRIDGE RD	RD 34 E.B., DAVID ST
2-00039	MILLINGTON RD	0.00	3.18	3.18	STATE LINE - MARYLAND	RD 44, SR 42
2-00041	SUDLERSVILLE RD/ MAIN ST/ WHEATLEY POND RD	0.00	10.78	10.78	STATE LINE - MARYLAND	RD 39, DE 6
2-00057	BURNITE MILL RD	3.72	4.19	0.47	RD 272 WHITE MARSH BRANCH LN	RD 58 HILLS MARKET ROAD
2-00059	WHITELEYSBURG RD	0.00	7.93	7.93	STATE LINE - MARYLAND	RD 60, DE 14
2-00061	ANDREWVILLE RD	0.00	3.13	3.13	RD 114 TODDS CHAPEL RD	RD 312 FLATIRON RD
2-00066	KINGS HIGHWAY / WHITE OAK RD	0.00	3.27	3.27	UPLAND AVE.	RD 15, DEL 9
2-00073	HAZLETTVILLE RD	0.00	1.50	1.50	RD 206 WEST VILLE RD	RD 195 WEST RAILROAD AVE
2-00078	DORMAN STREET / LITTLE MASTENS CORNER RD	0.00	2.12	2.12	RD 60, COMMERCE ST	RD 289, HOPKINS CEMETERY RD
2-00081	DELAWARE AVE	0.00	0.95	0.95	RD 60, CLARK ST	RD 5 S.B., U.S. 13
2-00088	LEIPSIK RD	0.00	1.03	1.03	RD 2 RT13 N.B.	RD 337, PERSIMMON TREE LANE
2-00092	MOORTON RD	0.00	2.32	2.32	RD 45 MAIN STREET	RD 42 DE 15
2-00101	PEARSONS CORNER RD	0.00	7.82	7.82	RD 73 HAZLETTVILLE RD	RD 45, DE 42
2-00102	MESSINA HILL RD	0.00	0.95	0.95	RD 2 S.B., U.S. 13	RD 2 S.B., U.S. 13
2-00109	KERSEY RD	0.00	0.86	0.86	RD 108 FIRETOWER RD	RD 235 FARM LA
2-00152	LYNNBURY WOODS RD	0.00	2.38	2.38	RD 42 BRENFORD ROAD	RD 42 BRENFORD RD
2-00154	HATCHERY RD / ROSE BOWL RD	0.00	1.20	1.20	COMMENT - CUL-DE-SAC IS BEHIND RD	RD 156, SAULSBURY RD
2-00167	ROSE DALE LA	0.00	1.21	1.21	RD 101 PEARSONS CORNER RD	RD 168 SEENEY TOWN RD
2-00168	SEENEY TOWN RD	0.00	0.99	0.99	RD 170 JUDITH RD	RD 166 SHAWS CORNER RD
2-00198	ROSE VALLEY SCHOOL RD	0.00	1.42	1.42	RD 73 HAZLETTVILLE RD	RD 51 FOREST AVE
2-00202	ALLABANDS MILL RD / GRANT RD	0.00	0.94	0.94	RD 52 WESTVILLE RD	RD 195, RAILROAD AVE
2-00207	MUD MILL RD	1.43	5.31	3.88	RD 208 MAHAN CORNER RD	RD 226 TOBACCO RD
2-00211	STILL RD	1.28	2.90	1.62	RD 208 MAHAN CORNER RD	RD 212 PONY TRACK RD
2-00236	OLIN DILL RD	0.65	1.33	0.68	RD 240 TURKEY POINT RD	RD 4 UPPER KING RD
2-00242	CHANDLERS RD	0.00	1.94	1.94	RD 57 BURNITE MILL RD	RD 56 SANDTOWN RD
2-00249	C & R CENTER RD	0.00	1.50	1.50	RD 251 IRONMINE RD	RD 108 FIRETOWER RD
2-00265	SPIDER WEB RD	0.00	1.57	1.57	RD 57, DE 12	RD 110 SPECTRUM FARMS RD
2-00311	HAMMONDTOWN RD	2.77	3.25	0.48	RD 314 FARMINGTON RD	RD 116 WILLIAMSVILLE RD
2-00314	FARMINGTON RD	0.00	1.99	1.99	RD 61 MAIN ST	RD 315 TOWER HILL RD
2-00332	LEWIS DR/E DENNYS RD	0.00	3.31	3.31	RD 88, LEIPSIK RD	RD 14, DEL 42
2-00342	ACORN LA	0.00	0.60	0.60	RD 16, DE 8, NORTH LITTLE CREEK RD	RD 66, WHITE OAK RD3
2-00355	SOUTH OLD MILL RD	0.00	0.78	0.78	RD 29 CAMDEN-WYOMING AVE	RD 356 E.B., DE 10, LEBANON RD
2-00379	MCGINNIS POND RD	0.00	0.93	0.93	RD 378 MCGINNIS POND RD	RD 31 IRISH HILL RD
2-00385	ANDREWS LAKE RD	2.80	3.23	0.43	RD 380 ANDREWS LAKE RD	RD 5 N.B., US 13
2-00433	CORN CRIB RD	0.00	1.31	1.31	RD 434 GUN & ROD CLUB RD	RD 6 N.B., U.S. 13
2-00443	WILLIAMSVILLE RD	0.00	3.85	3.85	RD 384 DEEP GRASS LA	RD 36 MILFORD-HARRINGTON HWY
3-00018	Savannah Rd	31.91	32.31	0.40	1100' NORTH OF RT 1	S12 (Wescoats Rd)
3-00026	Nine Foot Rd	5.68	11.28	5.60	S25 (Millsboro Hwy)	S113 (DuPont Blvd)
3-00064	Whitesville Rd	8.06	10.73	2.67	S62 (Whaleys Rd)	S26 (Millsboro Hwy)
3-00070	Gordy Rd	0.00	4.38	4.38	S64 (Whitesville Rd)	S1 / US 13 Sussex Hwy

Appendix C
F.Y. 2013 Microsurfacing

3-00084	Central Ave	2.84	4.30	1.46	S352 (Windmill Dr)	S26 (Atlantic Ave)
3-00113A	McColleys Chapel Rd	0.00	0.51	0.51	S113 (DuPont Blvd)	S565 (Deer Forest Rd)
3-00265	Minos Conway Road	0.00	1.47	1.47	S9/18 (Lewes-Georgetown Highway)	S14/1 (Coastal Highway)
3-00270A	Munchy Branch Rd	0.00	1.21	1.21	S14 (Coastal Hwy)	S270 (Wolf Neck Rd)
3-00275A	Airport Rd	0.00	0.56	0.56	S274 (Old Landing Rd)	S14 (Coastal Hwy)
3-00381	Old Mill Bridge Rd	0.00	2.07	2.07	S58 (Lighthouse Rd)	S384 (Bayard Rd)
3-00404	Seashore Hwy	0.00	1.39	1.39	S17 (Federalsburg Rd)	S582 (Newton Rd)
3-00431	Shortly Rd	4.41	6.83	2.42	S20 (Hardscrabble Rd)	S329 (West Piney Grove Rd)
3-00432	Gov. Stockley Road	3.24	5.51	2.27	S20 (Hardscrabble Road)	S113 (Dupont Blvd)
3-00485	Bethel-Concord Road	2.28	4.94	2.66	S2/13 (Sussex Highway)	S20 (Concord Road)
3-00493	Bethel Road	0.00	6.63	6.63	S13A (Seaford Road)	S24 (Sharptown Road)

**Appendix D
F.Y. 2013 Surface Treatment**

Route	Road Lane	Begin Mile	End Mile	Length	Begin Description	End Description
1-00386	EGGERTS LANE	0.00	0.37	0.37	OLD COOCH'S BRIDGE RD	SUNSET LAKE RD (N356)
1-00394	MCDANIEL LANE	0.00	0.60	0.60	BEGINNING OF ROAD	FRAZER RD
1-00414	RATLEDGE RD	0.00	1.54	1.54	BOYDS CORNER RD	LOREWOOD GROVE RD
1-00415	BEASTON RD	0.00	0.38	0.38	RT 301	END OF ROAD
1-00423A	BETTS RD	0.00	0.17	0.17	BAYVIEW RD	End of Roadways End of Forward Direction
1-00426	EMERSON RD	0.00	0.80	0.80	BEGINNING OF ROAD	BOYDS CORNER RD
1-00458	GREEN GIANT RD	0.00	4.35	4.35	MARYLAND LINE RD	RT 71
1-00461	MARYLAND LINE RD	0.00	1.83	1.83	CALDWELL CORNER RD	LEVELS RD
1-00462	EBENEZER CHURCH RD	0.00	1.20	1.20	VANDYKE GREENSPRING RD	BLACKBIRD STATION RD
1-00474	VANDYKE MARYLAND LINE RD	0.00	1.29	1.29	MARYLAND LINE	VANDYKE GREENSPRING RD
1-00476	SAW MILL RD	0.00	3.84	3.84	MARYLAND LINE	VANDYKE GREENSPRING RD
1-00479	OAK HILL SCHOOL RD	1.60	2.87	1.27	BLACK STALLION RD	BLACKBIRD FOREST RD
1-00491	THOROUGHFARE NECK RD	0.26	1.82	1.56	RT 9	COLLINS BEACH RD
1-00493	COLLINS BEACH RD	0.00	1.21	1.21	THOROUGHFARE RD	BEGINNING OF ROAD
2-00083	DUTCH NECK RD	0.00	2.38	2.38	RD 325 BIG OAK RD	RD 11, DE 9
2-00117	STAYTONVILLE RD	0.00	2.92	2.92	SUSSEX COUNTY LINE	RD 6 NB US 13
2-00146	RYAN RD	0.00	0.94	0.94	RD 42 BRENFORD RD	RD 90 SUNNSIDE RD
2-00161	DEER TRACK LA	0.00	0.71	0.71	RD 162 SHARON HILL RD	RD 158 CHESTNUT GROVE RD
2-00173	SEAN LA	0.00	0.99	0.99	RD 97 DOWNS CHAPEL RD	RD 46, DE 11
2-00174	BURRIS RD	0.00	1.18	1.18	RD 46, DE 11	RD 98 FORDS CORNER RD
2-00235	FARM LA	0.00	2.81	2.81	RD 109 KERSEY RD	RD 53, DE 10
2-00236	OLIN DILL RD	0.00	0.65	0.65	RD 235 FARM LANE	RD 240 TURKEY POINT RD
2-00247	INDIAN RUNNER RD	0.00	1.26	1.26	RD 248 BEAGLE CLUB RD	RD 246 BERRYTOWN RD
2-00279	PINEPITCH RD	0.00	2.82	2.82	RD 59 WHITELEYSBURG RD	RD 78 DORMAN STREET
2-00283	SPORTSMAN RD	0.00	2.37	2.37	RD 285 HILLS MARKET RD	RD 57, DE 12
2-00349	PICKERING BEACH RD	0.00	2.2	2.2	RD 17, DE 9	OLD PICKERING BEACH RD
2-00396	BLOOMFIELD DR	0.00	2.05	2.05	RD 384 DEEP GRASS LANE	RD 36, DE 14
2-00420	GOBBLER LA	0.00	0.78	0.78	RD 124 CALVARY RD	RD 19 THOMSONVILLE RD
3-00058B	BAYVILLE RD	0.00	0.61	0.61	RD 3/00058 (FENWICK RD)	End of Roadways End of Forward Direction
3-00072	WOOTEN RD	0.72	4.08	3.36	TRAP POND RD	RD 3/00062 (WHALEYS RD)
3-00082	HICKORY HILL RD	1.12	1.95	0.83	RD 3/00026 (NINE FOOT RD)	RD 3/00411 (WILEY BRANCH RD)
3-00082	BLACKBERRY RD	0.00	1.12	1.12	RD 3/00402 (BLUEBERRY LN)	RD 3/00026 (NINE FOOT RD)
3-00198	CLIFTON RD	0.00	0.67	0.67	RD 3/00038 (SYLVAN ACRES RD)	SURFACE TYPE CHANGE
3-00209	BEAVER DAM ROAD	0.00	1.22	1.22	RD 3/00014 (REHOBOTH BLVD)	RD 3/00036 (SOUTHEAST FRONT ST)
3-00213C	HUDSON CIRCLE DR	0.00	0.16	0.16	RD 3/00213 (NORTH OLD STATE RD)	End of Roadways End of Forward Direction
3-00215A	DANIELS RD	0.00	0.30	0.30	RD 3/00014 (COASTAL HWY)	RD 3/00215 (SLAUGHTER NECK RD)
3-00216	BENSON RD	3.13	3.24	0.11	RD 3/00214 (CUBBAGE POND RD)	RD 3/00637 (NEAL RD)
3-00216	BENSON RD	0.00	1.35	1.35	RD 3/00227 (WARREN FARM RD)	RD 3/00038 (JEFFERSON RD)
3-00216A	OLD ROAD	0.00	0.21	0.21	RD 3/00224 (BRICK GRANARY RD)	END OF FORWARD DIRECTION
3-00219	BUTTONWOOD RD	0.00	0.74	0.74	RD 3/00220 (BAKERFIELD RD)	RD 3/00038 (WELLS RD)
3-00220	BAKERFIELD RD	0.00	0.87	0.87	RD 3/00014 (COASTAL HWY)	RD 3/00219 (BUTTONWOOD RD)
3-00220	BAKERFIELD RD	0.87	1.82	0.95	RD 3/00219 (BUTTONWOOD RD)	RD 3/00221 (DRAPER RD)
3-00222	THIRTEEN CURVES RD	0.00	1.97	1.97	RD 3/00038 (PRIME HOOK RD)	RD 3/00038 (CODS RD)
3-00224A	RUTT RD	0.00	1.27	1.27	RD3/00014E (ARGOS CORNER RD)	RD 3/00224 (SLAUGHTER BEACH RD)
3-00224B	CHURCH RD	0.00	0.34	0.34	RD 3/00224 (SLAUGHTER BEACH RD)	END OF FORWARD DIRECTION
3-00226	ORCHARD RD	0.00	1.66	1.66	RD 3/00238 (SAW MILL RD)	RD 3/00016 (BEACH HWY)
3-00228	HERITAGE RD	0.00	0.81	0.81	RD 3/00038 (JEFFERSON RD)	RD 3/00212 (CEDAR CREEK RD)
3-00231	REYNOLDS POND RD	4.88	5.38	0.50	RD 3/00212 (CEDAR CREEK RD)	RD 3/00022 (UNION ST EXT.)
3-00239	PINE RD	0.00	0.27	0.27	RD 3/00565 (EAST REDDEN RD)	RD 3/00238 (SAW MILL RD)
3-00239	PINE RD	0.27	1.67	1.40	RD 3/00238 (SAW MILL RD)	RD 3/00238 (SAW MILL RD)
3-00240	SPICER RD	1.75	1.95	0.20	RD 3/00016 (BEACH HWY)	RD 3/00231 (REYNOLDS POND RD)
3-00240	SPICER RD	0.00	1.75	1.75	RD 3/00238 (SAW MILL RD)	RD 3/00016 (BEACH HWY)
3-00242	DONOVAN RD	0.00	1.34	1.34	RD 3/00565 (EAST REDDEN RD)	RD 3/00319 (SAND HILL RD)
3-00247	LOG CABIN HILL RD	1.08	1.95	0.87	RD 281 (JOSEPHS RD)	RD 3/00261 (SWEETBRIAR RD)
3-00247	LOG CABIN HILL RD	0.00	1.08	1.08	RD 3/00258 (HUDSON RD)	RD 281 (JOSEPHS RD)
3-00248A	WEBB RD	0.00	0.14	0.14	RD 3/00248 (GRAVEL HILL RD)	RD 3/00249 (SHINGLE POINT RD)
3-00253	BRIARWOOD RD	0.00	1.68	1.68	RD 3/00319 (SAND HILL RD)	RD 3/00249 (SHINGLE POINT RD)
3-00256	SAM LUCAS RD	0.00	1.44	1.44	RD 3/00022 (HARBESON RD)	End of Roadways
3-00259	CARPENTER RD	1.48	2.01	0.53	SURFACE TYPE CHANGED FROM 6301 to 3110	RD 3/00258 (HUDSON RD)
3-00259	CARPENTER RD	0.10	1.41	1.31	RD 3/00257 (DIAMOND FARM RD)	SURFACE TYPE CHANGED FROM 3110 to 6301

**Appendix D
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3-00260	WALKER RD	0.00	1.98	1.98	RD 3/00258 (HUDSON RD)	RD 3/00257 (DIAMOND FARM RD)
3-00285A	JIMTOWN RD	0.00	0.86	0.86	RD 3/00277 (ROBINSVILLE RD)	RD 3/00285 (BEAVER DAM ROAD)
3-00293	DODDTOWN RD	0.00	2.46	2.46	RD 3/00292 (ANDERSON CORNER RD)	RD 3/00022 (INDIAN MISSION RD)
3-00296A	SHORT RD	0.80	1.57	0.77	RD 3/00292 (ANDERSON CORNER RD)	RD 3/00292A (RUST RD)
3-00296A	SIMPLER BRANCH RD	0.00	0.80	0.80	RD 3/00047 (SPRINGFIELD RD)	RD 3/00292 (ANDERSON CORNER RD)
3-00298A	GREEN RD	0.00	1.09	1.09	RD 3/00298 (BANKS RD)	End of Roadways End of Forward Direction
3-00301	HOLLY LAKE RD	0.00	1.33	1.33	RD 3/00302 (PHILLIPS BRANCH RD)	RD 3/00024 (JOHN J. WILLIAMS HWY)
3-00304	MARYLAND CAMP RD	0.00	2.72	2.72	RD 3/00024 (JOHN J. WILLIAMS HWY)	RD 3/00297 (MOUNT JOY RD)
3-00306	INLAND BAY RD	0.97	1.30	0.33	RD 3/00303 (TOWNSEND RD)	End of Roadways End of Forward Direction
3-00306	HARMONY CEMETERY RD	0.00	0.97	0.97	RD 3/00305 (HOLLYVILLE RD)	RD 3/00303 (TOWNSEND RD)
3-00314	DOC FRAME RD	0.00	1.45	1.45	RD 3/00248 (GRAVEL HILL RD)	RD 3/00297 (MOUNT JOY RD)
3-00316	PIE LA	0.00	0.39	0.39	RD 3/00317 (PETERKINS RD)	RD 3/00315 (DEEP BRANCH RD)
3-00341	FALLING POINT RD	0.00	0.23	0.23	RD 3/00026 (VINES CREEK RD)	RD 3/00343 (WINGATE RD)
3-00343	WINGATE RD	0.00	1.66	1.66	RD 3/00054 (OMAR ROAD)	RD 3/00341 (FALLING POINT RD)
3-00367A	LIZZARDS HILL RD	0.00	0.51	0.51	RD 3/00365 (PEPPERS CORNER RD)	RD 3/00084 (CENTRAL AVE)
3-00370A	WEST AIRPORT RD	0.00	0.39	0.39	RD 3/00370 (DAISEY ROAD)	RD 3/00370 (DAISEY ROAD)
3-00372	HICKMAN RD	0.00	0.61	0.61	RD 3/00369 (JONES RD)	RD 3/00382 (PYLE CENTER RD)
3-00373	BURTON FARM RD	0.00	1.69	1.69	RD 3/00369 (JONES RD)	RD 3/00374 (BLACKWATER RD)
3-00374	BLACKWATER RD	0.00	1.36	1.36	RD 3/00365 (POWELL FARM RD)	RD 3/00346 (HICKORY MANOR RD)
3-00379	BAKER RD	0.00	0.76	0.76	DEAD END	RD 3/00378 (BLUEBERRY FARM RD)
3-00380	PARKER RD	0.00	0.88	0.88	RD 3/00060 (CYPRESS RD)	RD 3/00400 (MCCABE RD)
3-00380A	CLIFF RD	0.00	0.17	0.17	RD 3/00060 (CYPRESS RD)	RD 3/00380 (PARKER RD)
3-00383	EVANS RD	0.00	1.47	1.47	RD 3/00382 (ZION CHURCH RD)	RD 3/00384 (BAYARD RD)
3-00402	BLUEBERRY LN	0.00	5.64	5.64	RD 3/00026 (NINE FOOT RD)	RD 3/00113 (DUPONT BLVD)
3-00405	GUM TREE RD	2.47	4.40	1.93	RD 3/00026 (NINE FOOT RD)	RD 3/00411 (WILEY BRANCH RD)
3-00409	LEWIS RD	0.78	1.36	0.58	RD 3/00024 (MILLSBORO HWY)	RD 3/00410 (REVEL RD)
3-00423	JONES CHURCH RD	0.00	1.22	1.22	RD 3/00422 (LITTLE HILL RD)	RD 3/00061 (LOWES CROSSING RD)
3-00428	KINGS CROSSING RD	0.00	2.66	2.66	RD 3/00427 (GORDY RD)	RD 3/00061 (LOWES CROSSING RD)
3-00430	HASTINGS RD	0.00	1.12	1.12	RD 3/00064 (WHITESVILLE RD)	RD 3/00427 (SHELL STATION RD)
3-00432	CROSS KEYS RD	0.00	0.60	0.60	RD 3/00421 (CAREYS CAMP RD)	RD 3/00472 (PHILLIPS HILL RD)
3-00435	BRYANS STORE RD	0.00	2.61	2.61	RD 3/00435A (JONES STORE RD)	END OF FORWARD DIRECTION
3-00435A	JONES STORE RD	0.00	2.66	2.66	RD 3/00472 (PHILLIPS HILL RD)	RD 3/000435 (BRYANS STORE RD)
3-00439	ENGLISH RD	0.00	0.40	0.40	RD 3/00436 (CURLEY DR)	RD3/00441 (SUBSTATION RD)
3-00439	ENGLISH RD	0.40	1.99	1.59	RD 3/00441 (SUBSTATION RD)	RD 3/00421 (CAREYS CAMP RD)
3-00443	PARSONS RD	0.00	0.89	0.89	RD 3/00435 (BRYANS STORE RD)	RD 3/00442 (ASKETUM BRANCH ROAD)
3-00443A	SAW MILL RD	0.94	2.03	1.09	RD 3/00062 (E. TRAP POND RD)	RD 3/00435 (BIG MILL RD)
3-00444	TYNDALL RD	0.00	2.23	2.23	RD 3/00020 (HARDSCRABBLE RD)	RD3/00028 (COUNTY SEAT HWY)
3-00446	BEAVER DAM BRANCH RD	0.00	2.70	2.70	RD 3/00074 (SHILOH CHURCH ROAD)	RD 3/00476 (SCYAMORE RD)
3-00447	JOHNSON RD	2.23	3.70	1.47	RD 3/00074 (SHILOH CHURCH ROAD)	RD 3/00467A (E. ELLIOTS DAM RD)
3-00451	SALT BARN RD	0.67	8.23	7.56	RD 3/00001 (SUSSEX HWY)	RD 3/00062 (WHALEYS RD)
3-00452	EAST SNAKE RD	1.57	2.13	0.56	RD 3/00068 (OLD STAGE RD)	RD 3/00453 (ROBIN HOOD DR)
3-00455B	RUSSEL RD	0.00	1.33	1.33	RD 3/00455 (BRITTINGHAM RD)	RD 3/00064 (WHITESVILLE RD)
3-00463	HITCH POND RD	2.73	4.09	1.36	RD 3/00024 (LAUREL RD)	RD 3/00074 (SHILOH CHURCH ROAD)
3-00463	HITCH POND RD	1.31	2.73	1.42	RD 3/00449 (TRAP POND RD)	RD 3/00024 (LAUREL RD)
3-00467	TAYLOR MILL RD	0.00	1.83	1.83	RD 3/00468 (DISCOUNT LAND RD)	RD 3/00466 (SYCAMORE RD)
3-00467B	TAYLOR MILL RD	0.00	1.32	1.32	RD 3/00466 (SYCAMORE RD)	RD 3/00467 (WEST ELLIOTTS DAM RD)
3-00476A	DUKES FARM RD	0.00	1.05	1.05	RD 3/00028 (COUNTY SEAT HWY)	RD 3/00475 (COOPER RD)
3-00478	JAMES RD	0.00	0.89	0.89	RD 3/00020 (HARDSCRABBLE RD)	RD 3/00477 (LAYTON RD)
3-00480A	MIREY BRANCH RD	0.00	1.66	1.66	RD 3/00479 (FIRE TOWER RD)	RD 3/00474 (KAYE RD)
3-00482	BOYCE RD	0.39	1.09	0.70	RD 3/00002 (SUSSEX HWY)	RD 3/00480 (WALLER RD)
3-00484	FLEETWOOD RD	0.00	3.74	3.74	RD 3/00020 (CONCORD RD)	RD 3/00046 (OLD FURNACE RD)
3-00487	GUM BRANCH RD	1.92	2.94	1.02	RD 3/00488 (JOHNSON RD)	RD 3/00485 (ONEALS RD)
3-00487	GUM BRANCH RD	0.00	1.92	1.92	RD 3/00078 (WOODLAND FERRY RD)	RD 3/00488 (JOHNSON RD)
3-00489	COLONIAL RD	0.00	0.83	0.83	RD 3/00468 (DISCOUNT LAND RD)	RD 3/00480 (WALLER RD)
3-00490	CLARK RD	0.00	0.74	0.74	RD 3/00487 (GUM BRANCH RD)	RD 3/00490A (RIVER RD)
3-00498	ELLIS GROVE RD	1.58	2.64	1.06	RD 3/00500 (WATSON RD)	RD 3/00494 (OLD SHARPTOWN RD)
3-00498	ELLIS GROVE RD	0.00	1.58	1.58	RD 3/00024 (SHARPTOWN RD)	RD 3/00500 (WATSON RD)
3-00503A	BLACK BIRD RD	0.00	0.82	0.82	RD 3/00510 (HORSEY CHURCH RD)	RD 3/00501 (SAINT GEORGE RD)
3-00503B	OLD CROW RD	0.00	1.07	1.07	RD 3/00501 (SAINT GEORGE RD)	RD 3/00013 (BISTATE BLVD)
3-00515	BACONS RD	2.03	3.03	1.00	RD 3/00501 (SAINT GEORGE RD)	RD 3/00013 (BISTATE BLVD)
3-00518	SUBSTATION RD	0.00	1.33	1.33	RD 3/00028 (COUNTY SEAT HWY)	RD 3/00469 (PARKER RD)

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3-00522A	RACCOON DITCH RD	0.24	2.45	2.21	RD 3/00446 (ASBURY RD)	RD 3/00517 (RACCOON DITCH RD)
3-00554	BAKER RD	1.77	4.16	2.39	RD 3/00030 (ATLANTA RD)	RD 3/00561 (WESLEY CHURCH RD)
3-00555	OWLS NEST RD	0.00	1.11	1.11	RD 3/00547 (BOYCE RD)	RD 3/00030 (ATLANTA RD)
3-00560A	HARTZELL RD	0.00	1.33	1.33	RD 3/00560 (DEERFIELD RD)	RD 3/00018 (FEDERALSBURG RD)
3-00562	PROGRESS SCHOOL RD	2.73	5.30	2.57	RD 3/00031 (DUBLIN HILL RD)	RD 3/00034 (BLANCHARD RD)
3-00563A	MARTIN RD	0.00	0.24	0.24	RD 3/00562 (PROGRESS SCHOOL RD)	END OF FORWARD DIRECTION
3-00565	DEER FOREST RD	7.17	9.45	2.28	RD 3/00579 (WEST ROBBINS RD)	RD 3/00113 (DUPONT BLVD)
3-00566A	BIG PINE RD	0.00	1.11	1.11	RD 3/00562 (PROGRESS SCHOOL RD)	RD 3/00017 (FEDERALSBURG RD)
3-00575	SMITH RD	0.00	1.36	1.36	RD 3/00573 (TRINITY CHURCH RD)	RD3/00404 (SEASHORE HWY)
3-00575B	MELSON RD	0.00	0.37	0.37	RD 3/00575 (SMITH RD)	End of Roadways End of Forward Direction
3-00579	EAST ROBBINS RD	5.54	5.79	0.25	RD 3/00113 (DUPONT BLVD)	RD 3/00213 (S.OLD STATE ROAD)
3-00579	EAST ROBBINS RD	5.79	6.62	0.83	RD 3/00213 (S.OLD STATE ROAD)	RD 3/00238 (SAW MILL RD)
3-00583A	CART BRANCH RD	0.00	0.56	0.56	RD 3/00583 (ADAMS RD)	SURFACE TYPE CHANGED FROM 3110 to 6101
3-00599	SUGAR HILL RD	0.00	2.27	2.27	RD 3/00600 (ST. JOHNSTOWN ROAD)	RD 3/00600 (FAWN ROAD)
3-00605	HUNTING CLUB RD	0.00	1.44	1.44	RD 3/00565 (DEER FOREST RD)	RD 3/00527 (GRAVELLY BRANCH RD)
3-00613	MEMORY RD	0.00	2.77	2.77	RD 3/00036 (SHAWNEE RD)	KENT COUNTY LINE
3-00615	HIDDEN MEADOW LA	0.00	0.92	0.92	RD 3/00036 (SHAWNEE RD)	CUL-DE-SAC
3-00617	LINDALE RD	0.00	1.28	1.28	RD 3/00716 (TEA TOWN RD)	RD 3/00620 (ABBOTTS POND RD)
3-00619A	BONTRAGER RD	0.00	0.07	0.07	RD 3/00619 (OLD SHAWNEE RD)	Other [KINGSTON DR (CORDER'S MILL)]
3-00619A	BONTRAGER RD	0.07	0.24	0.17	Other [KINGSTON DR (CORDER'S MILL)]	RD 3/00036 (SHAWNEE RD)
3-00630	WISSEMAN RD	0.00	1.34	1.34	RD 3/00016 (BEACH HWY)	RD 3/00044 (BLACKSMITH SHOP RD)
3-00635	RUST RD	0.00	0.75	0.75	RD 3/00042 (NORTH UNION CHURCH RD)	RD 3/00621 (CALHOUN RD)
3-00637	NEAL RD	0.00	1.09	1.09	RD 3/00216 (BENSON RD)	RD 3/00215 (SLAUGHTER NECK RD)