SPONSOR: Rep. Schwartzkopf & Sen. Blevins
Longhurst McBride
Viola Henry
Q. Johnson Sokola

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 275

JANUARY 28, 2016

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2017; 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 OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS.

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

Section 1. Fiscal Year ~~2016~~ 2017 Capital Improvements Project Schedule Addendum. The General Assembly hereby authorizes the following projects in the following amounts for the purposes set forth in this Section and as described in the Fiscal Year ~~2016~~ 2017 Governor's Recommended Capital Budget and Project Information document. Any authorization balance (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30, ~~2018~~ 2019, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
LEGISLATIVE						
Legislative Information System (LIS) Upgrade	01-08-02	$ 2,300,000	$ -	$ -	$ -	$ 2,300,000
Subtotal:		$ 2,300,000	$ -	$ -	$ -	$ 2,300,000
OFFICE OF MANAGEMENT AND BUDGET						
Minor Capital Improvement and Equipment	10-02-50	$ 4,948,005	$ 425,846	$ -	$ -	$ 5,373,851
Environmental Compliance (UST/Asbestos/Other)	10-02-50	340,300	-	-	-	340,300
Architectural Barrier Removal	10-02-50	-	-	-	150,000	150,000
Roof Replacements	10-02-50	2,500,000	-	-	-	2,500,000
Carvel State Office Building Fire Alarm System Replacement	10-02-50	300,000	-	-	-	300,000
Local Law Enforcement Laptop Replacement	10-02-11	-	-	-	339,259	339,259
Judicial Project						
Minor Capital Improvement and Equipment	10-02-50	1,000,000	-	-	-	1,000,000
State Projects						
Minor Capital Improvement and Equipment	10-02-50	1,450,000	-	-	-	1,450,000
Minor Capital Improvement and Equipment - Veterans Home	10-02-50	100,000	-	-	-	100,000
Veterans Home Bathing Rooms	10-02-50	150,000	-	-	-	150,000
Health and Social Services Projects						
Minor Capital Improvement and Equipment	10-02-50	5,900,000	-	-	-	5,900,000
Roof Replacement/Repair	10-02-50	1,000,000	-	-	-	1,000,000
Holloway Campus Electrical System Replacement	10-02-50	3,460,000	-	-	-	3,460,000
Delaware Medicaid Enterprise System	10-02-05	3,640,000	-	-	-	3,640,000
Services for Children, Youth and Their Families Project						
Minor Capital Improvement and Equipment	10-02-50	1,500,000	-	-	-	1,500,000

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
OFFICE OF MANAGEMENT AND BUDGET (continued)						
Correction Projects						
Minor Capital Improvement and Equipment	10-02-50	3,183,250	-	-	-	3,183,250
Howard R. Young Correctional Institution (HRYCI) Old Kitchen Space Renovation	10-02-50	2,500,000	-	-	-	2,500,000
HRYCI Front Lobby Renovation	10-02-50	2,000,000	-	-	-	2,000,000
JTVCC Building 20 Expansion	10-02-50	310,000	-	-	-	310,000
Safety and Homeland Security Projects						
800 MHz Technology Refresh	10-02-05	6,354,100	-	-	-	6,354,100
Minor Capital Improvement and Equipment	10-02-50	800,000	-	-	-	800,000
Delaware Emergency Management Agency (DEMA) Shed Replacement	10-02-50	150,000	-	-	-	150,000
Delaware National Guard Projects						
Minor Capital Improvement and Equipment	10-02-50	1,705,000	-	-	-	1,705,000
Bethany Beach Training Site (BBTS) Building 115 Renovation	10-02-50	1,321,900	-	-	-	1,321,900
Subtotal:		$ 44,612,555	$ 425,846	$ -	$ 489,259	$ 45,527,660
DELAWARE ECONOMIC DEVELOPMENT OFFICE						
Delaware Strategic Fund	10-03-03	$ -	$ -	$ -	$ 10,000,000	$ 10,000,000
Experimental Program to Stimulate Competitive Research-Research Infrastructure Improvement (EPSCoR-RII)	10-03-03	-	-	-	600,000	600,000
Delaware Clinical and Translational Research (CTR)	10-03-03	-	-	-	1,000,000	1,000,000
IDeA Network of Biomedical Research Excellence (INBRE)	10-03-03	-	-	-	1,000,000	1,000,000
Fraunhofer Vaccine Development	10-03-03	-	-	-	1,000,000	1,000,000
Diamond State Port Corporation	10-03-03	15,800,000	-	-	-	15,800,000
Riverfront Development Corporation	10-03-03	-	-	-	3,150,000	3,150,000
Federal Research and Development Matching Grant Program	10-03-03	-	-	-	750,000	750,000
Bioscience Center for Advanced Technology (CAT)	10-03-03	-	-	-	1,000,000	1,000,000
Subtotal:		$ 15,800,000	$ -	$ -	$ 18,500,000	$ 34,300,000

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT		INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
DELAWARE STATE HOUSING AUTHORITY							
Housing Development Fund - Affordable Rental Housing Program		10-08-01	$ 6,000,000	$ -	$ -	$ -	$ 6,000,000
Urban Redevelopment		10-08-01	8,075,000	-	-	425,000	8,500,000
	Subtotal:		$ 14,075,000	$ -	$ -	$ 425,000	$ 14,500,000
STATE							
Museum Maintenance		20-06-01	$ 550,000	$ -	$ -	$ -	$ 550,000
Rt. 9/13 (Garfield Park) Public Library		20-08-01	5,048,545	2,328,430	-	-	7,376,975
Duck Creek Regional Library		20-08-01	2,000,000	-	-	-	2,000,000
Harrington Public Library		20-08-01	1,203,500	-	-	-	1,203,500
Selbyville Public Library		20-08-01	150,000	-	-	-	150,000
	Subtotal:		$ 8,952,045	$ 2,328,430	$ -	$ -	$ 11,280,475
HEALTH AND SOCIAL SERVICES							
Maintenance and Restoration		35-01-30	$ 4,750,000	$ -	$ -	$ -	$ 4,750,000
Drinking Water State Revolving Fund		35-05-20	-	-	-	1,770,000	1,770,000
Critical Equipment Replacement Program		35-01-30	-	-	-	150,000	150,000
	Subtotal:		$ 4,750,000	$ -	$ -	$ 1,920,000	$ 6,670,000
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		38-04-40	$ 3,135,400	$ -	$ -	$ -	$ 3,135,400
	Subtotal:		$ 3,135,400	$ -	$ -	$ -	$ 3,135,400

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL						
Shoreline and Waterway Management	40-03-04	$ -	$ -	$ -	$ 3,600,000	$ 3,600,000
Conservation Cost Share	40-03-04	-	-	-	1,500,000	1,500,000
Conservation Reserve Enhancement Program (CREP)	40-03-04	-	-	-	1,000,000	1,000,000
Clean Water State Revolving Fund	40-01-06	-	-	-	1,400,000	1,400,000
Tax Ditches	40-03-04	-	-	-	1,148,700	1,148,700
High Hazard Dam and Dike Repair/Replacement	40-03-04	1,500,000	-	-	-	1,500,000
Park and Wildlife Area Rehabilitation/Critical Facilities	40-03-02	3,500,000	-	-	-	3,500,000
Statewide Trails and Pathways	40-03-02	3,000,000	-	-	-	3,000,000
Water Supply Monitoring Network	40-04-03	713,000	-	-	-	713,000
Redevelopment of Strategic Sites (NVF)	40-03-02	3,000,000	-	-	-	3,000,000
Redevelopment of Strategic Sites (Fort DuPont)	40-03-02	2,250,000	-	-	250,000	2,500,000
Delaware Bayshore Initiative	40-01-01	500,000	-	-	-	500,000
Subtotal:		$ 14,463,000	$ -	$ -	$ 8,898,700	$ 23,361,700
SAFETY AND HOMELAND SECURITY						
Twin Engine Helicopter Lease/Payment	45-01-01	$ -	$ -	$ -	$ 1,029,341	$ 1,029,341
Subtotal:		$ -	$ -	$ -	$ 1,029,341	$ 1,029,341
TRANSPORTATION						
Road System	55-05-00	$ -	$ -	$ 151,810,495	$ -	$ 151,810,495
Grants and Allocations	55-05-00	-	-	21,750,000	-	21,750,000
Transit System	55-05-00	-	-	26,699,178	-	26,699,178
Support System	55-05-00	-	-	50,565,985	-	50,565,985
Subtotal:		$ -	$ -	$ 250,825,658	$ -	$ 250,825,658
FIRE PREVENTION COMMISSION						
Hydraulic Rescue Tools Replacement	75-02-01	$ -	$ -	$ -	$ 45,000	$ 45,000
Subtotal:		$ -	$ -	$ -	$ 45,000	$ 45,000

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
UNIVERSITY OF DELAWARE						
Laboratories	90-01-01	$ 6,000,000	$ -	$ -	$ -	$ 6,000,000
Subtotal:		$ 6,000,000	$ -	$ -	$ -	$ 6,000,000
DELAWARE STATE UNIVERSITY						
Campus Improvements	90-03-01	$ 5,260,000	$ -	$ -	$ -	$ 5,260,000
Excellence Through Technology	90-03-01	740,000	-	-	-	740,000
Subtotal:		$ 6,000,000	$ -	$ -	$ -	$ 6,000,000
DELAWARE TECHNICAL COMMUNITY COLLEGE						
Collegewide Asset Preservation/Minor Capital Improvement (MCI)	90-04-01	$ 400,000	$ -	$ -	$ -	$ 400,000
Excellence Through Technology	90-04-01	300,000	-	-	-	300,000
Library Renovations/Learning Commons (Owens Campus)	90-04-02	1,400,000	-	-	-	1,400,000
Student Services Building (Terry Campus)	90-04-06	300,000	-	-	-	300,000
East Building Expansion (George Campus)	90-04-04	300,000	-	-	-	300,000
Campus Improvements (Owens Campus)	90-04-02	825,000	-	-	-	825,000
Campus Improvements (Terry Campus)	90-04-06	825,000	-	-	-	825,000
Campus Improvements (Stanton/George Campuses)	90-04-05	1,650,000	-	-	-	1,650,000
Subtotal:		$ 6,000,000	$ -	$ -	$ -	$ 6,000,000
EDUCATION						
Minor Capital Improvement and Equipment	95-01-01	$ 11,000,000	$ -	$ -	$ -	$ 11,000,000
Architectural Barrier Removal	95-01-01	160,000	-	-	-	160,000
Cape Henlopen, Construct 720 Student ES (60/40)	95-17-00	4,951,800	-	-	-	4,951,800
Cape Henlopen, Sussex Consortium Additions to Beacon MS (100% State)	95-17-00	535,000	-	-	-	535,000
Cape Henlopen, 10 Additional Classrooms for Sussex Consortium at 720 Student ES (100% State)	95-17-00	3,397,600	-	-	-	3,397,600
Lake Forest, Renovate Lake Forest HS (66/34)	95-15-00	528,100	-	-	-	528,100
Lake Forest, Renovate East ES (66/34)	95-15-00	99,600	-	-	-	99,600
Polytech, Renovate Polytech HS (65/35)	95-39-00	4,225,000	-	-	-	4,225,000

SECTION 1 ADDENDUM

FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR-IZATIONS	REAUTHORIZA-TION AND REPRO-GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
EDUCATION (continued)						
Caesar Rodney, Additions and Renovations to J.R. McIlvaine ECC (68/32)	95-10-00	2,150,600	-	-	-	2,150,600
Caesar Rodney, Additions and Renovations to Caesar Rodney HS (68/32)	95-10-00	3,855,000	-	-	-	3,855,000
Caesar Rodney, Renovate Fred Fifer III MS (68/32)	95-10-00	362,900	-	-	-	362,900
Caesar Rodney, Renovate F. Neil Postlethwait MS (68/32)	95-10-00	383,600	-	-	-	383,600
Caesar Rodney, Renovate Nellie Hughes Stokes ES (68/32)	95-10-00	175,900	-	-	-	175,900
Caesar Rodney, Construct 600 Student ES (68/32)	95-10-00	1,114,700	-	-	-	1,114,700
New Castle County VoTech, Renovate Howard HS/1927 Building (65/35)	95-38-00	18,738,000	-	-	-	18,738,000
Brandywine, Additions and Renovations to Carrcroft ES (61/39)	95-31-00	483,500	-	-	-	483,500
Brandywine, Renovate Brandywine HS (61/39)	95-31-00	1,789,600	-	-	-	1,789,600
Brandywine, Renovate Claymont ES (61/39)	95-31-00	323,100	-	-	-	323,100
Brandywine, Renovate Facilities Maintenance Building (61/39)	95-31-00	1,157,300	-	-	-	1,157,300
Brandywine, Demolish Burnett Building (61/39)	95-31-00	1,586,000	-	-	-	1,586,000
Cape Henlopen, Land Acquisition for Sussex Consortium Building (100% State)	95-17-00	1,890,000	-	-	-	1,890,000
Cape Henlopen, Construct Sussex Consortium Building (100% State)	95-17-00	6,733,200	-	-	-	6,733,200
Cape Henlopen, Replace H.O. Brittingham ES (60/40)	95-17-00	7,231,800	-	-	-	7,231,800
Cape Henlopen, Nine Additional Classrooms for Sussex Consortium at H.O. Brittingham ES (100% State)	95-17-00	2,234,700	-	-	-	2,234,700
Christina, Renovate Brennan School (100% State)	95-33-00	600,000	-	-	-	600,000
Subtotal:		$ 75,707,000	$ -	$ -	$ -	$ 75,707,000
GRAND TOTAL:		$ 201,995,000	$ 2,754,276	$ 250,825,658	$ 31,307,300	$ 486,882,234

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 ~~$196,960,000~~ $201,995,000 and in the amount of ~~$30,109,100~~ $28,008,900 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:

Department, Agency or Instrumentality	Amount
Legislative	~~$1,300,000~~ $2,300,000
Office of Management and Budget	~~40,359,158~~ 44,612,555
Delaware Economic Development Office	~~24,246,550~~ 15,800,000
Delaware State Housing Authority	~~14,210,000~~ 14,075,000
State	~~5,525,000~~ 8,952,045
Health and Social Services	4,750,000
Services for Children, Youth and Their Families	200,000
Correction	3,135,400
Natural Resources and Environmental Control	~~13,755,500~~ 14,463,000
~~Delaware National Guard~~	~~316,292~~
University of Delaware	6,000,000
Delaware State University	6,000,000
Delaware Technical Community College	6,000,000
Education	~~71,162,100~~ 75,707,000

~~Purpose~~	~~State Share~~	~~Maximum Local Share~~	~~Total Cost~~
~~Minor Capital Improvement and Equipment~~	~~$10,900,000~~		~~$10,900,000~~
~~Architectural Barrier Removal~~	~~160,000~~		~~160,000~~
~~Red Clay, Renovate Austin D. Baltz ES (60/40)~~	~~1,417,000~~	~~944,700~~	~~2,361,700~~
~~Red Clay, Renovate Heritage ES (60/40)~~	~~1,481,400~~	~~987,600~~	~~2,469,000~~
~~Red Clay, Renovate Highlands ES (60/40)~~	~~790,800~~	~~527,200~~	~~1,318,000~~
~~Red Clay, Renovate William C. Lewis ES (60/40)~~	~~396,000~~	~~264,000~~	~~660,000~~

~~Red Clay, Renovate Henry B. DuPont MS (60/40)~~	~~2,333,500~~	~~1,555,600~~	~~3,889,100~~
~~Red Clay, Renovate Skyline MS (60/40)~~	~~1,520,500~~	~~1,013,700~~	~~2,534,200~~
~~Red Clay, Renovate Thomas McKean HS (60/40)~~	~~1,343,200~~	~~895,400~~	~~2,238,600~~
~~Red Clay, Renovate Meadowood (60/40)~~	~~651,800~~	~~434,600~~	~~1,086,400~~
~~Red Clay, Renovate The Central School (60/40)~~	~~1,719,300~~	~~1,146,200~~	~~2,865,500~~
~~Cape Henlopen, Construct 720 Student ES (60/40)~~	~~7,835,100~~	~~5,223,400~~	~~13,058,500~~
~~Cape Henlopen, Sussex Consortium Additions to Beacon MS (100% State)~~	~~1,070,000~~		~~1,070,000~~
~~Cape Henlopen, Additions to Beacon MS (60/40)~~	~~1,219,000~~	~~812,800~~	~~2,031,800~~
~~Cape Henlopen, Additions to Mariner MS (60/40)~~	~~1,251,500~~	~~834,300~~	~~2,085,800~~
~~Cape Henlopen, 10 Additional Classrooms for Sussex Consortium at 720 Student ES (100% State)~~	~~1,132,000~~		~~1,132,000~~
~~Lake Forest, Renovate Lake Forest HS (66/34)~~	~~2,062,400~~	~~1,062,500~~	~~3,124,900~~
~~Lake Forest, Renovate W.T. Chipman MS (66/34)~~	~~468,400~~	~~241,300~~	~~709,700~~
~~Lake Forest, Renovate Central ES (66/34)~~	~~315,800~~	~~162,700~~	~~478,500~~
~~Lake Forest, Renovate East ES (66/34)~~	~~247,900~~	~~127,700~~	~~375,600~~
~~Polytech, Renovate Polytech HS (65/35)~~	~~4,225,000~~	~~2,275,000~~	~~6,500,000~~
~~Smyrna, Renovate Smyrna ES (67/33)~~	~~4,439,400~~	~~2,186,600~~	~~6,626,000~~
~~Smyrna, Renovate Clayton ES (67/33)~~	~~681,000~~	~~335,400~~	~~1,016,400~~
~~Smyrna, Renovate North Smyrna ES (67/33)~~	~~517,200~~	~~254,700~~	~~771,900~~
~~Smyrna, Renovate John Basset Moore IS (67/33)~~	~~333,500~~	~~164,200~~	~~497,700~~
~~Smyrna, Renovate Thomas D. Clayton Administration Building (67/33)~~	~~1,372,500~~	~~676,000~~	~~2,048,500~~
~~Caesar Rodney, Renovate John S. Charlton School (100% State)~~	~~4,766,900~~		~~4,766,900~~
~~Delmar, Roof Replacement and Renovations to Delmar MS/HS (80/20)~~	~~3,283,100~~	~~820,800~~	~~4,103,900~~
~~Milford, Portable Classrooms (70/30)~~	~~53,900~~	~~69,000~~	~~122,900~~
~~New Castle County VoTech, Renovate Howard HS/1927~~			

~~Purpose~~	~~State Share~~	~~Maximum Local Share~~	~~Total Cost~~
~~Building (65/35)~~	~~13,174,000~~	~~7,093,700~~	~~20,267,700~~
~~Subtotal~~	~~$71,162,100~~	~~$30,109,100~~	~~$101,271,200~~
	~~**TOTAL**~~		~~**$196,960,000**~~

Purpose	State Share	Maximum Local Share	Total Cost
Minor Capital Improvement and Equipment	$11,000,000	$5,534,399	$16,534,399
Architectural Barrier Removal	160,000	106,700	266,700
Cape Henlopen, Construct 720 Student ES (60/40)	4,951,800	3,301,200	8,253,000
Cape Henlopen, Sussex Consortium Additions to Beacon MS (100% State)	535,000		535,000
Cape Henlopen, 10 Additional Classrooms for Sussex Consortium at 720 Student ES (100% State)	3,397,600		3,397,600
Lake Forest, Renovate Lake Forest HS (66/34)	528,100	272,000	800,100
Lake Forest, Renovate East ES (66/34)	99,600	51,300	150,900
Polytech, Renovate Polytech HS (65/35)	4,225,000	2,275,000	6,500,000
Caesar Rodney, Additions and Renovations to J.R. McIlvaine ECC (68/32)	2,150,600	1,012,000	3,162,600
Caesar Rodney, Additions and Renovations to Caesar Rodney HS (68/32)	3,855,000	1,814,000	5,669,000
Caesar Rodney, Renovate Fred Fifer III MS (68/32)	362,900	170,800	533,700
Caesar Rodney, Renovate F. Neil Postlethwait MS (68/32)	383,600	180,500	564,100
Caesar Rodney, Renovate Nellie Hughes Stokes ES (68/32)	175,900	82,800	258,700
Caesar Rodney, Construct 600 Student ES (68/32)	1,114,700	524,600	1,639,300
New Castle County VoTech, Renovate Howard HS/ 1927 Building (65/35)	18,738,000	10,089,700	28,872,700
Brandywine, Additions and Renovations to Carrcroft ES (61/39)	483,500	309,100	792,600
Brandywine, Renovate Brandywine HS (61/39)	1,789,600	1,144,200	2,933,800
Brandywine, Renovate Claymont ES (61/39)	323,100	206,600	529,700
Brandywine, Renovate Facilities Maintenance Building (61/39)	1,157,300	739,900	1,897,200

Purpose	State Share	Maximum Local Share	Total Cost
Brandywine, Demolish Burnett Building (61/39)	1,586,000	1,014,000	2,600,000
Cape Henlopen, Land Acquisition for Sussex Consortium Building (100% State)	1,890,000		1,890,000
Cape Henlopen, Construct Sussex Consortium Building (100% State)	6,733,200		6,733,200
Cape Henlopen, Replace H.O. Brittingham ES (60/40)	7,231,800	4,821,200	12,053,000
Cape Henlopen, Nine Additional Classrooms for Sussex Consortium at H.O. Brittingham ES (100% State)	2,234,700		2,234,700
Christina, Renovate Brennan School (100% State)	600,000		600,000
Subtotal	$75,707,000	$33,649,999	$109,356,999
	TOTAL		**$201,995,000**

Section 3. Appropriation of General Funds. It is the intent of the General Assembly that $31,307,300 be appropriated to the following departments of the State and in the following amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2019, shall revert to the General Fund of the State of Delaware.

Department, Agency or Instrumentality	Amount
Office of Management and Budget	$489,259
Delaware Economic Development Office	18,500,000
Delaware State Housing Authority	425,000
Health and Social Services	1,920,000
Natural Resources and Environmental Control	8,898,700
Safety and Homeland Security	1,029,341
Fire Prevention Commission	45,000
TOTAL	**$31,307,300**

Section 4. One-Time Special Fund Reprogramming. (a) Notwithstanding the provisions of any other state law, the General Assembly hereby directs the State Treasurer to deauthorize the remaining appropriation balance, not in excess of the balance below from the following One-Time Special Funds and reauthorizes the funds to the department listed in subsection (b) of this section, according to the purposes in the Section 1 Addendum of this Act.

Department, Agency, or Instrumentality	Appropriation Code	Amount
~~Office of Management and Budget~~		
~~New Jobs Infrastructure~~	~~2012-10-02-11-25119~~	~~$7,500,000.00~~
Services for Children, Youth and Their Families		
Ball Cottage	2012-37-01-15-25107	~~36,100~~ $7,447
	TOTAL	**~~$7,536,100.00~~ $7,447**

(b) Department, Agency, or Instrumentality	Amount
~~Delaware Economic Development Office~~	
~~Delaware Strategic Fund~~	~~$7,500,000.00~~
~~Natural Resources and Environmental Control~~	
~~Redevelopment of Strategic Sites (NVF/Fort Dupont)~~	~~21,000.00~~
~~Buried Debris Pit Remediation~~	~~15,100.00~~
Office of Management and Budget	
Minor Capital Improvement and Equipment	$7,447
TOTAL	**~~$7,536,100.00~~ $7,447**

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

Project	Appropriation Code	Amount
~~Starc Headquarters~~	~~2009-10-02-50-50309~~	~~$33,708.20~~
Advanced Planning	2007-10-02-06-50014	$28,500.00
Kent County Courthouse	2011-10-02-50-50076	12,405.22
Kent County Courthouse	2012-10-02-50-50077	49,541.31
HRYCI Masonry Restoration	2011-10-02-50-50239	276,563.79
Starc Headquarters	2009-10-02-50-50309	997.61
Roof Replacement/Sussex	2012-10-02-50-50372	50,390.91
New Castle - Southern	2007-20-08-01-50101	1,870,000.00
Greenwood Public Library	2012-20-08-01-50265	297,927.48
Claymont Branch Library	2014-20-08-01-50266	60,503.03
Claymont Branch Library	2015-20-08-01-50266	100,000.00
	TOTAL	**~~$33,708.20~~ $2,746,829.35**

Section 6. Transfer from the State Treasurer's Agency Bond Reversion Account. Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum of ~~$33,708.00~~

$2,746,829 from the State Treasurer's Bond Reversion Account (94-12-05-03-50015) to the following departments in the following amount for the purpose set forth in the Section 1 Addendum of this Act.

Department, Agency or Instrumentality	Amount
~~Delaware National Guard~~	
~~Field Maintenance Shop (FMS) #5~~	~~$33,708.00~~
Office of Management and Budget	
Minor Capital Improvement and Equipment	$418,399
State	
Rt. 9/13 (Garfield Park) Public Library	2,328,430
TOTAL	**~~$33,708.00~~ $2,746,829**

Section 7. Continuing Appropriations. For the fiscal year ending June 30, ~~2015~~ 2016, any sums in the following accounts shall remain as continuing appropriations and shall not be subject to reversion until June 30, ~~2016~~ 2017.

Fiscal Year(s)	Appropriation Code	Description
2014	01-08-02-59905	LIS Upgrade
2014	02-17-01-50060	MCI/Judicial
2009	10-02-05-10004	Technology Fund
2009	10-02-05-50006	800 MHZ
2007	10-02-06-50014	Advanced Planning
~~2013~~	~~10-02-11-10042~~	~~Laurel Stabilization~~
2012	10-02-11-50369	New Jobs Infrastructure
~~2011/~~2012	10-02-50-10025	MCI/DSHS
2012	10-02-50-10027	MCI/DSCYF
2012	10-02-50-10031	MCI/Correction
2014	10-02-50-10040	Environmental Compliance
2014	10-02-50-10041	Architectural Barrier
2014	10-02-50-10238	Absolom Jones Community Center
~~2012~~	~~10-02-50-10911~~	~~Troop 7, Lewes~~
2013	10-02-50-50051	Townsend Building Mechanical
2013/14	10-02-50-50055	New Troop 7, Lewes
2014	10-02-50-50061	MCI/State
2013/14	10-02-50-50064	MCI/Correction
2013/14	10-02-50-50066	MCI/DSHS
2011	10-02-50-50076	Kent County Courthouse
2012	10-02-50-50077	Kent County Courthouse
2011	10-02-50-50239	HRYCI Masonry Restoration
~~2012/13~~	~~10-02-50-50247~~	~~New Kitchen at HRYCI~~
2013	10-02-50-50249	MCI National Guard
2013/14	10-02-50-50306	MCI/OMB
2013/14	10-02-50-50307	MCI/DHSS
2014	10-02-50-50308	MCI/DSCYF
2009	10-02-50-50309	Starc Headquarters
2012/14	10-02-50-50362	Roof Replacement - Correction
2012/~~13~~	10-02-50-50363	Troop 3, Camden

2013/14	10-02-50-50370	Roof Replacement - DHSS
2012	10-02-50-50372	SCCH Roof Replacement
2014	10-02-50-50403	Roof Replacement/DSCYF
2013	10-02-50-59903	B/P New Kitchen at HRYCI
2014	10-02-50-59906	MCI/DHSS
2014	10-02-50-59907	Roof Renovations/DSCYF
2014	10-02-50-59908	MCI/DNG
2013/14	10-08-01-50068	Housing - Affordable Rental
2002	12-05-03-10090	GF Cap Reprogramming
1994	12-05-03-50015	Agency Reversions
1994	12-05-03-50229	School Reversions
2012	15-01-01-10004	Technology
2002	20-08-01-50065	Harrington Public Library
2013/14	20-08-01-50082	Delmar Public Library
~~2013~~	~~20-08-01-50085~~	~~Rt. 9/13 Community Library~~
2007	20-08-01-50101	NCC South
2012	20-08-01-50265	Greenwood Public Library
2014	20-08-01-50266	Claymont Branch Library
2012/13/14	20-08-01-50364	Duck Creek Library
2014	20-09-01-50404	Veterans Home Dining Room
2014	35-02-01-50432	Medicaid Management Information System
2013	35-02-01-59901	B/P Medicaid Management
2014	35-07-01-50402	Delaware Client Information System
2014	35-10-01-50048	DASCES Replacement
2014	37-01-15-50267	Maintenance and Restoration
2011	37-01-50-10065	FACTS II
2013/14	37-01-50-50361	FACTS II
2013	37-01-50-59902	B/P FACTS II
2014	38-04-40-50267	Maintenance and Restoration
2012	40-01-01-10017	MCI
2013/14	40-01-01-10044	Delaware Bayshore Initiative
2012	40-01-01-50367	State Bike Route
~~2008~~	~~40-01-06-10152~~	~~Combined Sewer Overflow~~
2014	40-01-06-10918	Clean Water
~~2013~~	~~40-03-02-10047~~	~~Park Facility Rehab~~
2014	40-03-02-10250	Fort Miles Museum
2014	40-03-02-10922	Redevelopment of Strategic Sites
2013/14	40-03-02-50086	Statewide Trails and Pathways
2014	40-03-02-50237	State Park Facilities
2012/13	40-03-02-50366	Redevelopment/Strategies
2014	40-03-02-59911	State Park Facilities
2014	40-03-02-59912	Fort Miles Museum
2014	40-03-04-10138	Tax Ditches
2014	40-03-04-10142	Buried Debris Pit Remediation
2014	40-03-04-10246	Holts Landing Dredging
2014	40-03-04-10247	Oak Orchard Dredging
2014	40-03-04-10248	Dredging Little River
2014	40-03-04-10251	Shoreline and Waterway
2014	40-03-04-50087	Dikes/Dams
2003	40-03-04-50224	Resource Conserv & Dev
2014	45-01-01-10162	Twin Engine Helicopter
2014	45-01-01-10252	City of Wilmington Wireless
2014	45-01-01-59913	NCC Law Enforcement Firing Range

2010	55-05-00-95401	FHWA
2010	55-05-00-95402	FTA
2010	55-05-00-95403	Federal-Other
2010/11/12/13/14	55-05-00-95601	Grants & Allocations
2010/11/12/13/14	55-05-00-97301	Transit System
2010/11/12/13/14	55-05-00-97601	Support System
2010/11/12/13/14	55-05-00-97701	Road System
2010	55-05-00-97801	GARVEE Fund
~~2013~~	~~75-02-01-10169~~	~~Hydraulic Rescue Tools~~
~~2013~~	~~76-01-01-50249~~	~~MCI National Guard~~
2014	76-01-01-50429	Scannell Readiness Center
2014	76-01-01-50431	Duncan Readiness Center
2012	90-03-01-10017	MCI
2013	90-03-01-10056	Convocation Feasibility Study
2013/14	90-03-01-50022	MCI
2010	90-03-01-50350	MCI & Equipment
2013/14	90-04-01-50273	Excellence Through Technology
2013/14	90-04-01-50354	College Asset Pres Pro
2011/13/14	90-04-02-50271	Owens Campus Improvements
~~2006~~	~~90-04-04-50235~~	~~Stanton Campus Expansion~~
~~2007~~	~~90-04-05-50235~~	~~Stanton Campus Expansion~~
2013/14	90-04-05-50325	Stanton/Wilmington Campus Improvements
2013/14	90-04-06-50272	Terry Campus Improvements
2014	95-01-01-50022	MCI
2014	95-13-00-50022	MCI
2012/13	95-13-00-50285	Capital Construct New
2011	95-13-00-50295	Capital Professional C
~~2013~~	~~95-13-00-50324~~	~~Voc Equipment Replacement~~
2014	95-13-00-50401	Kent County Community School
2014	95-13-00-50409	Renovate Central MS
2014	95-13-00-50410	Renovate Booker T. Washington ES
2014	95-15-00-10012	Renovate South ES
2014	95-15-00-10013	Renovate East ES
2014	95-15-00-10014	Renovate North ES
~~2013~~ 2014	95-15-00-50022	MCI
~~2013~~	~~95-15-00-50324~~	~~Voc Equipment Replacement~~
~~2013~~ 2014	95-16-00-50022	MCI
2012/13/14	95-16-00-50381	Construct Combined MS/HS
2013/14	95-16-00-50394	Laurel, Construct 1200 Student ES
2014	95-16-00-50405	Laurel, Select Demo/Reno
~~2011~~	~~95-18-00-50139~~	~~Renovate Milford HS~~
~~2013~~ 2014	95-23-00-50022	MCI
~~2013~~ 2014	95-23-00-50396	Seaford Senior HS Addition
2013/14	95-24-00-50022	MCI
2012	95-24-00-50091	Roofing Systems
2007	95-24-00-50263	Construct 600 Pupil ES
2011	95-24-00-50297	Construct 600 Pupil IS
2013/14	95-24-00-50324	Voc Equipment Replacement
2014	95-29-00-50022	MCI
~~2013~~	~~95-29-00-50041~~	~~Construct 840 Pupil ES~~
~~2013~~	~~95-29-00-50324~~	~~Voc Equipment Replacement~~
2014	95-31-00-50022	MCI
2013	95-31-00-50392	Architectural Barrier

2013/14	95-32-00-50022	MCI
2014	95-32-00-50398	Renovate A.I. DuPont HS
2013/14	95-32-00-50399	Red Clay Renovate Cab Calloway
~~2013~~ 2014	95-32-00-50400	Red Clay Construct 600 Student ES
~~2013~~ 2014	95-33-00-50022	MCI
2006	95-33-00-50040	Construct 800 Pupil MS
2006	95-33-00-50104	New MS
~~2013~~ 2014	95-33-00-50324	Voc Equipment Replacement
~~2013~~ 2014	95-33-00-50392	Architectural Barrier
2013/14	95-34-00-50022	MCI
2009	95-34-00-50152	Ren William Penn HS
2013	95-34-00-50324	Voc Equipment Replacement
~~2013~~	~~95-35-00-50022~~	~~MCI~~
2013/14	95-35-00-50383	Construct 700 Pupil HS
2014	95-35-00-50450	Old/New HS Misc
2014	95-36-00-50411	Add/Ren North Georgetown ES
2014	95-36-00-50413	Add/Ren Long Neck ES
~~2013~~ 2014	95-38-00-50022	MCI
~~2013~~ 2014	95-38-00-50324	Voc Equipment and Replacement
2012/13	95-38-00-50385	Renovate Howard HS
~~2013~~ 2014	95-39-00-50324	Voc Equipment and Replacement
~~2012/~~2013/14	95-39-00-50391	Renovate/Addition Polytech HS
2013/14	95-40-00-50388	Renovate HVAC Sussex Tech HS
2013/14	95-40-00-50395	Sussex Tech Renovate HS
2014	95-40-00-50407	Sussex Tech Ren District Office
2010	95-51-00-50240	Replace Sterck
~~2013~~ 2014	95-53-00-50022	MCI
2010	95-53-00-50348	Renovate John G. Leach

Section 8. Prefatory Language. This Act has been prepared in conformance with 78 Del. Laws, c. 90. For all sections with the exception of Section 1 Addendum, all comparisons to the previous year's Budget Act are shown noting insertions by underlining and deletions by strikethrough.

Section 9. Open Space Funding. ~~For the fiscal year ending June 30, 2016, 30 Del. C. § 5423(b)(2) and § 5423(c)(1) shall be waived.~~ Notwithstanding the provisions of 30 Del. C. § 5423(b)(2) and § 5423(c)(1), on or before December 15, 2016, the State shall transfer $3,000,000 of realty transfer taxes to the Project Account in the Delaware Land and Water Conservation Trust Fund.

Section 10. Farmland Preservation Funding. ~~For the fiscal year ending June 30, 2016, 30 Del. C. § 5426 shall be waived.~~ Notwithstanding the provisions of 30 Del. C. § 5426 for the fiscal year ending June 30, 2017, the State shall transfer $3,000,000 of realty transfer taxes to the Farmland Preservation Fund maintained under 3 Del C. § 905(a).

Section 11. Energy Efficiency Investment Fund. For the fiscal year ending June 30, ~~2016~~ 2017, 30 Del. C. § 5502(f) shall be waived.

Section 12. Conservation Districts - Federal Acquisition Regulations. Conservation Districts shall not be required to follow the provisions of the Federal Acquisition Regulations unless specifically required under a contract(s) with a federal agency or federal grant. If the Conservation Districts are required to follow subpart 31.2 of the Federal Acquisition Regulations, then the Conservation Districts are hereby authorized to charge an additional 10 percent to their overhead cost rate to enable the Conservation Districts to continue to fulfill their statutory duties and responsibilities.

Section 13. First State Preservation Revolving Fund, Inc. For Fiscal Year ~~2016~~ 2017, First State Preservation Revolving Fund, Inc. may continue to expend, for administrative expenses, the interest generated by the Community Redevelopment Fund appropriations of $250,000 in each of Fiscal Years 1999 and 2000.

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

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

Section 16. Community Redevelopment Fund Match. Notwithstanding the provisions of 29 Del. C. § 6102A, any unexpended Community Redevelopment Funds awarded to the Hockessin Community Center in Fiscal Years 2004 and 2005 shall not require a local match.

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

Section 18. Notification. The Director of the Office of Management and Budget and Controller General shall notify affected state agencies and other instrumentalities of the State as to certain relevant provisions of this Act.

Additionally, the Director of the Office of Management and Budget and Controller General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any legislative appointments required by this Act.

Section 19. Escheat - Special Funds. For Fiscal Year ~~2016~~ 2017, in which General Fund deposits equal $554,000,000, the Secretary of Finance shall transfer any and all additional receipts received to a holding account entitled "Escheat - Special Fund". The Joint Legislative Committee on the Capital Improvement Program shall allocate these additional receipts as part of the Fiscal Year ~~2017~~ 2018 Joint Legislative Committee on the Capital Improvement Act among the following funds:

(a) The K-12 Construction Fund;

(b) The Debt Reduction Fund; and

(c) The Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281.

Section 20. Higher Education Research and Education. The Section 1 Addendum of this Act makes appropriations to the Department of Transportation and the Department of Natural Resources and Environmental Control. In an effort to best utilize resources available to the State, including federal funding, to the State's benefit and, notwithstanding 29 Del. C. c. 69 or any other statutory provision to the contrary, the General Assembly hereby permits the departments, within the limits of funding provided to support research and education efforts to enter into agreements directly with the University of Delaware, Delaware State University and Delaware Technical Community College. This authorization is limited to conducting basic or applied research; transferring knowledge regarding scientific and technological advancements; and providing practical training to the state and local governments in the application of science or technology, and encourages the departments to consider these three institutions as the resource of first resort in meeting any of their research and/or educational needs.

JUDICIAL

Section 21. Court Facilities Improvement Working Group. Recognizing that there are critical unmet court space needs statewide, including addressing operational deficiencies of the Family Court facilities in Sussex and Kent Counties, and other downstate court facilities, as identified in the Southern Court Facilities Space Study (October 31, 2006), a court facilities improvement working group shall be established, consisting of representatives from the Judicial Branch, the Office of the Governor, the Office of Management and Budget, including Facilities Management, and the Office of the Controller General, to develop a plan for implementing flexible, cost-effective and potentially innovative solutions to these and other court facility space issues. The working group shall engage with the Delaware State Bar Association to obtain input from practitioners who practice in the affected courts regarding the best manner to ensure that litigants have access to high-quality, dignified, and safe courthouses within reasonable proximity to their residences, and what combination of courthouses will accomplish that goal in the manner most cost-effective to taxpayers in the long term. For the same reason, the working group will obtain input from other state agencies that provide services related to litigants in the affected courts, to consider whether the co-location of offices would be helpful to those receiving services and be more efficient for state taxpayers in the long term.

Section 22. Kent and Sussex County Judicial Court Facilities. ~~the~~ Section 1 Addendum of ~~this Act appropriates $500,000 to~~ 80 Del. Laws, c. 78 makes an appropriation to be used towards preliminary costs, including planning and design and architectural and engineering work to address deficiencies in current Family Court facilities in Kent and Sussex Counties, and other critical court space needs in those counties so long as those needs can reasonably be addressed in conjunction with the Family Court facility needs. Efficiencies shall be achieved in this process through the combining of planning, design, architectural and engineering work for both facilities, in all circumstances where combined efforts are appropriate and will likely achieve cost savings to the overall project.

OFFICE OF MANAGEMENT AND BUDGET

Section 23. Construction Management. Notwithstanding any other state law, the Office of Management and Budget (OMB) shall be responsible for the design and construction of all the projects listed under Office of Management and Budget in the Section 1 Addendum of this Act. For those projects that are solely for the purchase of equipment, including projects that are funded in any Minor Capital Improvement (MCI) and Equipment line, OMB shall transfer the appropriate funding necessary to purchase the equipment to the agency for which the equipment is being purchased. The appropriate amount of funding shall be determined and agreed to by OMB and the agency for which the equipment is being purchased by September 1 of each fiscal year. For those projects for which the appropriation is passed to an entity and for which the State is not a party to the construction contract, OMB shall provide technical assistance.

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

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

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

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

Section 24. Craft Training. OMB may, in its discretion, engage in one public works procurement utilizing a craft training program. OMB may determine the parameters and processes for any such procurement process and contract. Should OMB engage in such a public works procurement as set forth herein, upon its completion, OMB shall report to the Joint Legislative Committee on the Capital Improvement Program with an assessment of said procurement including, but not limited to, cost-savings, project quality and worker safety.

Section 25. Construction Manager. It is the intent of the General Assembly that all public works projects, including all public school projects, that utilize a construction manager on the project, utilize the delivery methodology which requires the construction manager to secure a performance and payment bond for their portion of the work. All subcontractors shall be listed at the start of the project and shall provide a performance and payment bond which names the construction manager and the State of Delaware as additional insureds. All provisions of 29 Del. C. c. 69 are in effect for projects which utilize Construction Manager.

Section 26. Judicial Construction Oversight. It is the intent of the General Assembly that a nine-member Executive Committee be created to oversee construction of new or major renovation of judicial facilities. The Executive Committee shall include two members of the legislature appointed by the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs of the House and Senate Judiciary Committees; two members of the Judiciary as appointed by the Chief Justice; and three members of the Executive Department to include the Director of Facilities Management, the Director of OMB and their designee. The Executive Committee shall work in conformation with existing construction oversight guidelines as written in ~~Section 32~~ the Construction Management section of this Act. The Executive Committee is hereby empowered to:

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

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

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

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

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

either the Judicial Branch or recommended by OMB for the Judicial Branch where the total project cost estimate exceeds $10,000,000.

Section 27. Minor Capital Improvement and Equipment Supplement - Office of Management and Budget. Notwithstanding the provisions of any other state law to the contrary, not more than 5 percent of the total amount allocated to OMB's MCI annual budget may be expended to enter into contractual agreements for project representatives and associated administrative support to ensure adequate oversight of state construction projects. The Director of OMB is directed to provide an itemized budget for this amount to the Controller General by August 1 of each fiscal year and expenditure reports to the Controller General by December 1 and June 1 of each fiscal year.

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

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

Section 30. Design-Build Contracts. OMB is hereby authorized to utilize or approve the design-build contract mechanism for up to twelve construction projects that are deemed necessary by the Director for the efficient construction and improvement of state facilities. Design-build is a project delivery method under which a project owner, having defined its initial expectations to a certain extent, executes a single contract for both architectural/engineering services and construction. The selection processes and other terms of such contracts may vary considerably from project to project. The design-build entity may be a single firm, a consortium, joint venture or other organization. However, the fundamental element of design-build delivery remains that one entity assumes primary responsibility for design and construction of the project. OMB is authorized to use this approach in completing its projects, subject to the following conditions:

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

(b) The following additional provisions of 29 Del. C. c. 69 shall also be incorporated into these design-build contracts: § 6962(d)(4)a. (anti-pollution, conservation environmental measures or Energy Star Equipment not covered by contract specifications); § 6962(d)(7) (equality of employment opportunity); and § 6962(d)(8)(9) (bonding requirements); and

(c) Any such contracts using federal funding shall conform to all applicable federal laws and regulations concerning design-build contracting.

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

DELAWARE ECONOMIC DEVELOPMENT OFFICE

Section 31. Composites Research. The Delaware Economic Development Office (DEDO) is authorized to provide a match of up to $100,000 to the University of Delaware Center for Composite Materials for federal research grants received that support the development and application of composite manufacturing technology for the benefit of Delaware companies. Such match shall be disbursed from the Delaware Strategic Fund upon documentation of the receipt of federal funds allocated to the center during the fiscal year for these purposes and upon documentation of the relevance of these research projects to Delaware industries' needs and their participation within said projects.

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

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

Section 34. Council on Development Finance. If DEDO makes an award not in agreement with the recommendations of the Council on Development Finance, the Director of DEDO shall notify the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program within 10 business days. The notification shall include details of the actual award, the Council recommendations on the proposal and a justification for why DEDO did not follow the recommendations of the Council.

Section 35. New Markets Tax Credit Program. In the event that the Director of DEDO and the Secretary of Finance determine that it is advisable to apply for participation in the New Markets Tax Credit Program under the U.S. Treasury Department, the Director is authorized to form a business entity or organization to apply for and manage this program on behalf of the State, as required by applicable federal legislation and regulations. Any such application for said program shall be subject to the approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program and the Delaware State Clearinghouse Committee. Should such application receive final approval by the U.S. Treasury Department or other federal governmental entity charged with such authority, at least one public hearing shall be held for the purpose of presenting the program, the availability of financial assistance and the selection process.

Section 36. Federal Research and Development Matching Grant Program. Section 1 ~~of 79 Del. Laws, c. 292 makes an appropriation~~ Addendum of this Act makes an appropriation to support federal research and development grants to Delaware institutions. The program will be administered through DEDO. Funding requests will be solicited yearly from the University of Delaware, Delaware State University, Delaware Technical Community College and Wesley College and reviewed by a committee consisting of two representatives from each public institution and three representatives of Delaware-based companies appointed by the Governor. The proposed work must complement and extend an on-going federally funded project or assist with start-up costs. Allowable budget categories include salaries and benefits for new graduate students and post-doctoral students, supplies and expenses to support the research of these individuals including infrastructure and capital purchases for equipment necessary to launch, support and sustain the research activities. Requests are capped at $100,000 per year.

Section 37. Emerging Technology Center. Notwithstanding any other law to the contrary, funds appropriated to DEDO for the Delaware Emerging Technology Center (ETC), pursuant to 74 Del. Laws, c. 308 § 36(c), shall be expended by DEDO for the purpose of operating the ETC. Operating expenses may include, but are not limited to: ETC software licensing agreements; Delaware sponsored ETC investor forums, businesses plan competitions and conferences and marketing campaigns; and Intellectual Property Business Creation program implementation initiatives.

Section 38. Riverfront Development Corporation. (a) Funds appropriated for the Riverfront Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the Riverfront Development Corporation Fund hereinafter referred to as the Fund.

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

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

Section 39. Limited Investment for Financial Traction (LIFT) and Delaware Rural Irrigation Program (DRIP) Initiatives. Notwithstanding any other law to the contrary, DEDO is hereby authorized to pay

administrative fees associated with LIFT and DRIP Initiatives from the Delaware Strategic Fund not to exceed 2 percent of the program total.

Section 40. Diamond State Port Corporation. ~~The~~ Section 1 Addendum of this Act ~~appropriates~~ makes an appropriation ~~$13,500,000~~ to the Diamond State Port Corporation (DSPC). It is the intent of the General Assembly and the Administration that said funds represent funding for ~~the following projects:~~ infrastructure improvements.

	~~Amount~~
~~(a) Container Crane~~	~~$1,200,000~~
~~(b) Infrastructure Improvements~~	~~$12,100,000~~
~~(c) Strategic Plan~~	~~$200,000~~

No funds may be expended from this appropriation without the approval of the Board of Directors of the Port Corporation. In addition, DSPC may borrow, on an interest-free basis, $2,000,000 of this authorization to meet its short-term operating expenses during Fiscal Year ~~2016~~ 2017.

Section 41. Delaware Civic Center Corporation. DEDO is directed to renew the corporate status of the Delaware Civic Center Corporation (DCCC) pursuant to the General Corporation Law of this State. Following renewal, the Board of Directors of DCCC shall meet to dissolve the corporation pursuant to the General Corporation Law of this State and shall transfer all of its assets pursuant to Article 14 of its Certificate of Incorporation. DEDO shall pay all reasonable and necessary expenses related to the renewal and dissolution of DCCC, subject to approval by the Director of the Office of Management and Budget and the Controller General.

Section 42. Croda Project. The implementation of projects by Croda Inc., in partnership with DEDO, as it relates to subdivision, land development, construction, permitting and code enforcement upon New Castle County parcel numbers 10-016.00-002, 10-016.00-007, 10-016.00-008 and 10-050.00-020, shall not be subject to the jurisdiction of New Castle County to the extent any such permits and/or approvals are not issued/granted on or before July 30, 2015. If such permits and/or approvals are not issued/granted on or before July 30, 2015, the Office of State Planning shall ensure that all applicable subdivision, land development, construction, permitting and code enforcement provisions of the New Castle County Code in effect as of June 26, 2015 are adhered to by Croda Inc.

Section 43. Frawley Stadium. The Joint Legislative Committee on the Capital Improvement Program directs the Delaware Stadium Corporation (DSC) to prepare a list of immediate repairs and upgrades necessary to ensure the long-term future of Frawley Stadium and minor league baseball in Delaware. The DSC shall submit such a

list to the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program and the Director of the Office of Management and Budget. Further, the General Assembly directs the DSC to engage in negotiations for a new lease with the Wilmington Blue Rocks, that may include utilizing Frawley Stadium to generate new revenue streams, to be shared with the Wilmington Blue Rocks, with any portion of such new revenue that goes to the DSC to be used to fund and/or offset the cost of future and/or additional required repairs and/or upgrades.

Section 44. Innovation Centers. The agency shall utilize the Strategic Fund to encourage and invite proposals targeted at innovation to support the establishment or expansion of one or more Innovation Centers. The mission of the Innovation Center(s) shall be creation of wealth by new and growing high tech businesses in Delaware that have global impact. The innovation process shall involve assisting in the identification of new product and process ideas that will succeed and the means of taking these new ideas to market. The Center(s) will facilitate the marrying of the resources of Delaware's labor force, academic institutions and technical resources to the expertise of a select group of entrepreneurs who understand opportunity, as well as the means to develop it.

DELAWARE STATE HOUSING AUTHORITY

Section 45. Housing Development Fund - Affordable Rental Housing Program. ~~The~~ Section 1 Addendum of this Act ~~appropriates $6,000,000~~ makes an appropriation for Housing Development Fund - Affordable Rental Housing Program. It is the intent of the General Assembly and the Administration that said funds are to be used to leverage other funding sources, such as Low Income Housing Tax Credits and tax-exempt bonds to help create and/or improve affordable rental housing stocks in Delaware. This investment in affordable rental housing will increase economic activity in the State of Delaware. The Director of the Delaware State Housing Authority (DSHA) shall report to the Controller General and the Director of the Office of Management and Budget no later than April 30, ~~2016~~ 2017, on the expenditure of the Housing Development Fund appropriated in the Section 1 Addendum of this Act. Said report shall also include the amount and expenditure of any non-state funds received by the State for said affordable rental housing projects.

Section 46. Urban Redevelopment. ~~The~~ Section 1 Addendum of this Act ~~appropriates $8,500,000~~ makes an appropriation for a statewide urban redevelopment initiative. DSHA shall administer these funds to incentivize investment in designated Downtown Development Districts in accordance with state law authorizing the creation of the Districts and governing the administration of the Downtown Development District Grant program. DSHA is authorized to use up to 5 percent of the appropriated amount for the support of DSHA administrative functions associated with this initiative.

DEPARTMENT OF TECHNOLOGY AND INFORMATION

Section 47. Data Center Projects. In no instance shall any information technology data center project be initiated by a department/agency during this fiscal year until a formalized plan has been approved by the department/agency head, Director of the Office of Management and Budget (OMB) and the State's Chief Information Officer. This includes, but is not limited to, relocating, renovating and/or constructing new information technology data centers.

Section 48. IT Project Funding. (a) ~~The~~ Section 1 Addendum of this Act ~~appropriates $9,290,800~~ makes appropriations to OMB (10-02-05) for technology projects. For Fiscal Year ~~2016~~ 2017, the following project~~s~~ may receive an allocation for planning, development, procuring services, conducting a feasibility/investment analysis or project implementation provided they meet all of the requirements contained within this section:

Department/Agency Service Need

Health and Social Services

Delaware Medicaid Enterprise System

~~Delaware Eligibility Modernization System~~

Safety and Homeland Security

800 MHz Technology Refresh

~~Live Scan Equipment Replacement~~

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

(b) In no instance shall any information technology (IT) project identified in subsection (a) of this section be initiated by the department/agency during this fiscal year until its formalized plan has been approved by the department/agency head, Director of OMB and state Chief Information Officer. The project plan and the request for funding to be transferred shall consist of a business case for the project, which includes:

(i) Needs analysis;

(ii) Business process to be impacted/reengineered;

(iii) Risk assessment;

(iv) Stakeholder impact assessment;

(v) Cost-benefit analysis; and

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

In no instance shall any project be approved by the Director of OMB if any portion of the above project plan requirements are absent from the department's/agency's request for a transfer of funds.

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

(d) Funding shall be transferred on a phase-by-phase basis. Except for the initial transfer where the project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the receipt and review of quarterly project status reports by the Director of OMB, Controller General and Chief Information Officer. In instances where the project requires a transfer prior to the deadline for the quarterly report, a report of the project's status at the time of the request will be necessary.

(e) In all projects executed between DTI, the Controller General's Office, OMB and the concerned department/agency, DTI shall maintain staff support to the benefit of the department/agency at the agreed upon level of effort (subject to recruitment delays) until the project work has been accomplished.

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

DEPARTMENT OF STATE

Section 49. Museum Maintenance. ~~The~~ Section 1 Addendum of this Act ~~appropriates $550,000~~ makes an appropriation to the Department of State for museum maintenance. It is the intent of the General Assembly that these funds be retained by the Department of State, Division of Historical and Cultural Affairs for use with the operations of state museums or for repairs to those facilities under the control of the Division of Historical and Cultural Affairs.

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

Section 51. Library Construction Review. Up to $50,000 of any Library Construction project as defined in 29 Del. C. c. 66A shall be allocated to the Division of Libraries for the purpose of reviewing technology, workflow and space planning to enable public libraries to meet standards established by the Division of Libraries with the approval of the Council on Libraries. Pursuant to 29 Del. C. c. 66A, public libraries shall be responsible for 50 percent of the costs (not to exceed $25,000).

Section 52. Stabilization Endowment for the Arts. It is the intent of the General Assembly that previously appropriated funds from the Department of State to the Stabilization Endowment for the Arts may be used to fund operating expenses pursuant to appropriate controls and procedures adopted by the Board of the Arts Consortium of Delaware and upon concurrence of the Division of Arts.

DEPARTMENT OF FINANCE

Section 53. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue Code of 1986, as amended (the Code), whenever the General Assembly authorizes the issuance of the State's General Obligation bonds or the Delaware Transportation Authority's (the Authority) revenue bonds to finance the costs of specific capital projects, it is the intent of the General Assembly that the interest on such bonds shall not be included in gross income for federal income tax purposes under Section 103 of the Code, and the United States Treasury Regulations (the Regulations) thereunder as they may be promulgated from time to time, or shall be qualified as Build America Bonds pursuant to the Code and the Regulations. Pursuant to the State's budget and financial policies, other than unexpected situations where surplus revenues render bond financing unnecessary or undesirable, no funds other than the proceeds of such bonds, are or are reasonably expected to be, reserved, allocated on a long-term basis or otherwise set aside by the State to pay the costs of such specific capital projects. Pursuant to the Authority's budget and financial policies, it is expected that approximately 50 percent of the costs of its capital projects shall be funded on a long-term basis from the proceeds of such bonds. However, after the authorization of such bonds but prior to their issuance, non-bond funds from the State's General Fund or the Authority's Transportation Trust Fund or other funds may be advanced on a temporary basis to pay a portion of the costs of such specific capital projects. In that event, it is expected that these non-bond funds will be reimbursed from the proceeds of such bonds when they are issued. This reimbursement may cause a portion of such bonds to become reimbursement bonds within the meaning of Section 1.150-2 of the Regulations. Under those Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal income tax purposes, it may be necessary to make a declaration of official intent. The Secretary of Finance is hereby designated as the appropriate representative of the State and the Secretary of Transportation is hereby designated as the appropriate representative of the Authority, and each is authorized to declare official intent on behalf of the State or the Authority, as the case may be, within the meaning of Section 1.150-2 of the Regulations, whenever and to the extent that such declaration is required to preserve such tax treatment.

Section 54. Qualified Zone Academy Bonds. A portion of the General Obligation bonds authorized under this Act for a school construction project may be issued in the form of Qualified Zone Academy Bonds (QZABs) within the meaning of the Code and the Regulations. Such portion shall be equal to the maximum amount of QZABs which may be issued under the Code and the Regulations. The Secretary of Finance is hereby authorized to determine the terms and conditions of the QZABs and the eligible public school project financed by the QZABs, and the manner

by which QZABs shall be awarded to the purchasers thereof, including private negotiated sale, notwithstanding anything to the contrary contained in 29 Del. C. c. 74; provided that the requirements of 29 Del. C. § 7422 must be observed.

Section 55. Amortization Requirements. Issuance of any bonds authorized in this Act or any previous authorization act may be subject to any amortization requirements as shall be determined by the bond issuing officers notwithstanding anything to the contrary contained in 29 Del. C. § 7406(b).

Section 56. Technology Initiatives. ~~The~~ Section 1 Addendum ~~to~~ of this Act ~~appropriates funding~~ makes appropriations for various technology initiatives. Should legislation pass creating an intercept procedure to satisfy a court judgment, the Department of Finance may borrow funds from said technology initiatives for developing and implementing the necessary intercept technology. Any and all fees associated with the intercept shall be used to reimburse said technology initiatives.

DEPARTMENT OF CORRECTION

Section 57. Prison Construction. (a) The Director of the Office of Management and Budget (OMB), as provided through construction management services, shall consult with the Commissioner of Correction to ensure expedient programming, planning and construction of authorized correctional facilities. None of the funds authorized herein or in prior fiscal years are intended to supplant federal funds.

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

Section 58. Community Restoration. The Department of Correction may, to the extent resources and appropriately classified offenders are available, direct these offenders to assist with community restoration projects. These projects may include beautification, clean up and restoration efforts requested by civic, governmental and fraternal organizations approved by the Commissioner.

Section 59. Maintenance and Restoration. ~~The~~ Section 1 Addendum of this Act ~~appropriates $3,135,400~~ makes an appropriation to the Department of Correction for Maintenance and Restoration projects. The department must submit a bi-annual report to the Director of OMB and the Controller General, detailing the expenditure of such funds and the respective projects. The department shall submit a preliminary plan to the Director of OMB and Controller General for maintenance projects for the following fiscal year by October 31.

Section 60. Department of Correction Prison Industry Program. The Department of Correction Prison Industry Program shall be prohibited from selling on the open market precast concrete products work including, but not limited to, catch basins and square boxes, unless such work meets National Precast Concrete Association Standards. The Department of Correction Prison Industry Program can continue to build, pour and construct precast concrete products that are exempt from this standard for use on State of Delaware prison projects.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Section 61. Conservation Cost-Sharing Program. ~~The~~ Section 1 Addendum of this Act ~~appropriates~~ ~~$1,500,000~~ makes an appropriation to the Department of Natural Resources and Environmental Control (DNREC) for the Conservation Cost-Sharing Program. Of this amount, 70 percent will be divided equally among the three conservation districts to expand their water quality and water management programs. Preference should be given to projects or conservation practices that improve water quality on lands covered by nutrient management plans, as practicable and in consultation with the Secretary. The remaining balance will be directed towards nutrient management and water quality efforts statewide as determined by the Secretary, in consultation with the three conservation districts.

Section 62. DNREC Land Acquisition. Except for land acquired by approval of the Open Space Council or approved through a Bond and Capital Improvements Act, land shall not be purchased by DNREC without prior approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program provided, however, that the department is not prohibited from conducting studies, surveys or other contractual arrangements that would normally precede land acquisition procedures.

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

Section 64. Indian River Marina. In accordance with the provisions of 73 Del. Laws, c. 350, § 70, DNREC under the direction of the Director of the Office of Management and Budget (OMB) may utilize up to $9,900,000 in funds from the Twenty-First Century Fund for the Parks Endowment Account as established in 29 Del. C. § 6102A(e), for the purpose of revitalizing and enhancing public amenities within the Delaware Seashore State Park in and around the Indian River Marina complex and related support facilities as presented to the Joint Legislative Committee on the Capital Improvement Program on May 15, 2002. DNREC will repay both the principal borrowed and interest on the principal borrowed equal to that interest lost as a result of borrowing from the Account. Repayment shall not exceed 20 years.

Section 65. Newark Reservoir. Of the funds allocated from the Twenty-First Century Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, $3,400,000 has been set aside for the Newark Reservoir

Project. If the City of Newark annexes the property referred to as New Castle County Tax Parcel Number 08-059.20-002 and Tax Parcel Number 08-059.20-001, the City must repay to the State those monies appropriated in the Fiscal Year 2000 and 2001 Bond and Capital Improvements Acts for said project.

Section 66. Seventh Street Marina. It is the intent of the General Assembly to classify the Seventh Street Marina, located on East Seventh Street, being Tax Parcel Number 26-044.00-013 containing 7.86 acres of land (of which 5.27 acres, more or less, is above the high water line) as existing marina for purposes of the State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on February 22, 1993. Such classification does not exempt any person seeking to make physical improvements to the marina from permit application fees pursuant to 7 Del. C. c. 66 and c. 72.

Section 67. Waterway Management. DNREC is directed to provide dedicated, comprehensive waterway management for state waters. DNREC will maintain design depths and mark navigational channels of the State that are not maintained and marked by any entity of the federal government; remove nuisance macroalgae; remove abandoned vessels; remove derelict structures, trees and other debris that threaten safe navigation; and perform any other waterway management services that may be identified to preserve, maintain and enhance recreational use of the State's tidal waters, as well as improve environmental conditions as warranted or directed by the Governor or Secretary of DNREC. DNREC is further directed to undertake a study of the sediment sources and patterns of sediment movement that result in deposition within state waterways to determine if there are methods to reduce the dependency on dredging to remove deposited sediments.

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

Section 69. Yard Waste Drop Sites. The department shall work with private sector providers and members of the General Assembly to ensure New Castle County residents have safe and accessible yard waste drop sites, including in the immediate vicinity of the current Polly Drummond site.

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

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

Section 72. Bay View. The New Castle County Conservation District shall continue to work with the Bay View community as a Twenty-First Century Fund Drainage Project and may use up to $200,000 from existing Twenty-First Century Project funds should the opportunity arise to fund an appropriate solution. For the purposes of Bay View, appropriate solutions may include, but are not limited to, matching the $200,000 in Twenty-First Century Project funds with FEMA funding as a Hazard Mitigation Project.

Section 73. Redevelopment of Strategic Sites. ~~The~~ Section 1 Addendum of this Act ~~appropriates $4,999,885~~ makes an appropriation to DNREC for the redevelopment of the following strategic sites: (a) The former NVF Facility in Yorklyn, along the Red Clay Creek; and

(b) The Fort DuPont complex adjacent to Delaware City. Up to $250,000 of this appropriation may be utilized for the operations and administration of the redevelopment corporation. Notwithstanding the provisions of 29 Del C. c. 94 and upon request by the redevelopment corporation board pursuant to a duly authorized resolution, the Director of OMB may transfer real property of the Fort DuPont/Governor Bacon Complex to the redevelopment corporation.

Section 74. Resource, Conservation and Development Projects. It is the intent of the General Assembly that the Office of Natural Resources, Division of Watershed Stewardship and the Conservation District(s) as established by 7 Del. C. c. 39 shall have the following authorities:

(a) Within the same county, funds appropriated in any fiscal year shall be used for the completion of any Twenty-First Century Fund Project approved by the Joint Legislative Committee on the Capital Improvement

Program. Funds remaining from completed projects may be utilized for any project approved as part of any fiscal year Capital Improvements Act. The funds appropriated are to be utilized for planning, surveying, engineering and construction of approved projects.

(b) For water management and drainage projects undertaken by DNREC, Office of Natural Resources, Division of Watershed Stewardship and the Conservation Districts using Twenty-First Century Fund Resource, Conservation and Development funds, the required non-Twenty-First Century Fund match shall be a minimum of 10 percent of the total project cost for any project.

(c) Approved projects remain on the approved project list until completed or discontinued by the Division of Watershed Stewardship or Conservation District(s) because of engineering, landowner consent or other issues that render a cost effective solution to drainage or flooding problem unlikely. The projects recommended to be discontinued will be identified on the annual report submitted to the Joint Legislative Committee on the Capital Improvement Program.

(d) In December and May of each year, the Division of Watershed Stewardship shall submit a financial report of fund activity including expenditures by fiscal year appropriated for each county to OMB and the Office of the Controller General. Accounting and financial management for the Twenty-First Century Fund will be based on the current pro-rated allocation of funds for each county and not based on specific project allocations.

(e) The Division of Watershed Stewardship will submit an annual report to the Joint Legislative Committee on the Capital Improvement Program at the Resource, Conservation and Development hearing detailing project status including those projects recommended for discontinuation. The annual report will also include a request for funding that will identify the total unexpended balance of the fund and the total projected needs of the project estimates to date. A list of new projects will also be identified and submitted for approval by the Joint Legislative Committee on the Capital Improvement Program.

(f) When a proposed tax ditch project or other water management project traverses county lines, if approved by the Joint Legislative Committee on the Capital Improvement Program the project shall be added to the project list in both counties.

(g) Subject to the approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program, a project funded entirely from Community Transportation Funds (CTF) may be added to the Twenty-First

Century Fund project list during the course of a fiscal year when said project is deemed to be an emergency project affecting the health and safety of residents.

Section 75. Revenues. DNREC, following adequate opportunity for public comment and the approval of the appropriate public advisory council(s) and Secretary, may establish, for activities and services administered by the department, such appropriate fees as shall approximate and reasonably reflect costs necessary to defray the expenses of each such activity or service. There may be a separate fee charged for each service or activity, but no fee shall be charged for a purpose not specified in the appropriate chapter of the Delaware Code. At the beginning of each calendar year, the department shall compute the appropriate fees for each separate activity or service and provide such information to the General Assembly. All revenue generated by any of the activities or services performed by the department shall be deposited in the appropriated special fund account. These funds shall be used to defray the expenses of the department, but may not exceed the budget authority for any fiscal year. Any fee or fee increase associated with hunting, trapping or fishing and under the management authority of the Division of Fish and Wildlife must also receive the appropriate approval by the General Assembly before becoming effective.

DEPARTMENT OF SAFETY AND HOMELAND SECURITY

Section 76. New Castle County Regional Training Facility. Notwithstanding any provision or requirement of the public trust doctrine or 10 Del. C. c. 62, and without the necessity of compliance therewith, New Castle County is hereby authorized to utilize 40 acres, more or less, at 1205 River Road, New Castle, Delaware 19720, Tax Parcel Number 10-046.00-001, for the sole purpose of establishing and maintaining a law enforcement firing range and driving course thereon for use by federal, State of Delaware, New Castle County and local municipal law enforcement personnel.

DEPARTMENT OF TRANSPORTATION

Section 77. General Provisions. The Department of Transportation (Department) is hereby authorized and directed to use all its designated powers and resources to carry out the following legislative mandates:

(a) Transportation Trust Fund Authorizations. Sums not to exceed ~~$431,073,148~~ $452,954,592 (State: ~~$209,321,247~~ $250,825,658; Federal: ~~$209,032,906~~ $197,607,496; Other: ~~$12,718,995~~ $4,521,438) are authorized to be withdrawn from the Transportation Trust Fund to carry out the projects and programs as set forth in the Section 1 Addendum of this Act.

(b) New Transportation Trust Fund Debt Authorization. To fund a portion of the projects authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an amount not to exceed $26,741,437 pursuant to the provisions of 2 Del. C. c. 13 and 14, of which not more than $25,000,000 plus premium shall be used for purposes set forth in the Section 1 Addendum of this Act with the remainder, not to exceed $1,741,437 to be used to fund issuance costs and necessary reserves for the Reserve Account.

Section 78. Maintenance and Operations Facilities. Building structures and facilities constructed, or to be constructed, within the Department of Transportation's operating right of way that facilitate maintaining the highway system and are used to assist in the operational and maintenance activities for all roads, shall not be subject to zoning, subdivision or building code ordinances or regulations by any political subdivision of the State. Types of structures may include equipment sheds, crew quarters, equipment maintenance, equipment washing, material storage sheds (i.e. salt, sand and other bulk materials), fuel centers and other maintenance structures required to maintain the highway system such as security (cameras and fences) including necessary maintenance and replacement items such as upgrades to existing facilities. The Department shall not construct any such facility without first conducting a public workshop to describe such plans and gather public input into the effect of such plans.

Section 79. Grants and Allocations. ~~The~~ Section 1 Addendum of this Act ~~appropriates the sum of $21,750,000 (State)~~ makes an appropriation for projects within the Grants and Allocations classification. The General Assembly further defines its intent with response to those appropriations as follows:

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

(b) The sum of $5,000,000 (State) shall be used for the Municipal Street Aid program pursuant to the

provisions of 30 Del. C. c. 51.

Section 80. 5310 Program. The Delaware Transit Corporation is authorized to expend up to ~~$1,579,686~~ $470,451 (Federal) from the Transit System classification (97301) appropriated in this Act for the 5310 Program, administered by the Federal Transit Administration.

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

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

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

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

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

Section 82. City of Wilmington Beautification. In order to maintain the urban tree canopy available in the City of Wilmington, and those properties that directly abut City limits, the General Assembly authorizes and directs the Department to establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware Center for Horticulture and/or Urban Forestry in the Department of Agriculture. It is the intent of the General Assembly that such program shall be funded exclusively by allocations made from time to time by members of the General Assembly from their CTF. The Department shall make payments to the center and/or Urban Forestry in the Department of Agriculture for work accomplished, and appropriately vouchered, from the CTF funds herein identified.

Section 83. Supplies of Road Materials. 74 Del. Laws, c. 308 § 109 is suspended until such time as the Department of Transportation shall suggest its re-institution and such suspension has been overridden by an Act of the General Assembly.

Section 84. System Capacity Preservation. The General Assembly hereby determines that it is in the public interest to limit future residential, commercial or industrial growth along certain portions of the State's highway network. Such potential growth would produce unsafe driving conditions as increased traffic seeks access to, and movements along, a number of local roads and collectors in critical locations through the State. The General Assembly further determines that it would be infeasible or imprudent for the Department to attempt to design and construct modifications to the State's highway network adjacent to these locations because such improvements would irrevocably destroy the important scenic and historic nature of the view sheds and other environmental attributes associated with these locations. Accordingly, the Secretary of the Department of Transportation (Secretary) is authorized and directed to use state funds appropriated to the Transportation Enhancements program authorized and funded in the Section 1 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds for these purposes shall be with the review and approval of the Director of the Office of Management and Budget (OMB) and Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and c. 95 shall govern such purchases, and any other purchase by the Department authorized by this Act.

(a) Millcreek Farm (Yearsley) Property - Four parcels totaling approximately 35 +/- acres adjacent to Mill Creek (SR 282) and Stoney Batter (SR 283) Roads in New Castle County. The Department shall work with members

of the surrounding community, plus state and local officials, to develop a master plan for the permanent protection of the site as community recreation and education and open space. Notwithstanding 17 Del. C. § 137, the Department of Transportation, upon completion of plans to reconfigure the intersection of Stony Batter Road and Mill Creek Road, is authorized to transfer said property to the Red Clay Consolidated School District.

Section 85. Denny Road/Route 896 Alignment Completion. Upon completion and final inspection of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two parcels (0.93 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of Meadow Glen, shall revert back to the community which had owned said parcels prior to 1994. Notwithstanding the provisions of 17 Del. C. § 137, the Department shall deed these parcels to the community and remain in their possession in perpetuity.

Section 86. Port of Wilmington. Subject to the review and approval of the Board of Directors of the Diamond State Port Corporation (DSPC):

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

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

Section 87. Wakefield Drive. The Department shall be prohibited from reopening Wakefield Drive in Newark through Old Baltimore Pike.

Section 88. Community Transportation Funding Levels. The Department is directed to account for the Community Transportation Program funds as cash, which shall be equal to the amounts authorized in Appendix A of

this Act. The funds authorized within the Community Transportation Program shall not be subject to deauthorization or reallocation by the Department under any circumstances.

Section 89. New Development Road Widening. When planning and/or permitting additional road widening directly related to new residential development, the Department of Transportation, Division of Planning, shall make every attempt to require the necessary right-of-way land be acquired from the developer owned land.

Section 90. U.S. 301 Spur Road Segment. The General Assembly directs the Department to implement the U.S. 301 Corridor project in phases, beginning with the U.S. 301 mainline section.

Section 91. Astra Zeneca Project. The Department shall carry out property boundary adjustments and easements for transit, bicycle and pedestrian, storm water management, wetlands and stream restoration, beautification, historic preservation, conservation and other improvements in concert with DNREC, Delaware Economic Development Office, City of Wilmington, New Castle County, New Castle County Conservation District and such other public and private entities as may be necessary to accomplish timely completion of the Blue Ball Master Plan.

Section 92. Buck Road. The Department is requested to refrain from issuing any entrance permit, authorization or approval for use of any entrance way from New Castle County Tax Parcel Number 07-026.00-094 onto Buck Road, until such time as it also certifies by letter to the New Castle County Department of Land Use that the developer's proposed entrance design conforms with the Department's subdivision requirements, pursuant to its authority under 17 Del. C. § 146 and its related regulations, intended to protect public safety and maintain smooth traffic flow. The government of New Castle County is also requested to solicit comments from and work with the residents of surrounding communities, community organizations and state and local officials to address traffic safety and other legitimate land use concerns about the proposed development, after the receipt of the Department's letter. The design of the entrance on Buck Road for Greenville Center will include a sidewalk from the entrance to the surrounding Greenville Manor Community on Ardleigh Drive.

Section 93. Routes 141 and 48. The Department is requested to refrain from issuing any permit, authorization or approval for use of any new, additional, revised or modified entrances for New Castle County Tax Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-055, 07-032.20-057 and 07-032.30-072 onto or from Route 141 or Route 48, until such time as the Department obtains, reviews and comments upon a traffic operations analysis for the area, which among other elements addresses (1) the predicted levels of service on

intersections, roadways or the Tyler McConnell Bridge affected by the proposed development of these parcels, and (2) the roadway improvements necessary to accommodate the development of these parcels, based upon the exploratory development plans submitted to the New Castle County Department of Land Use by the developer, as required by the County's Unified Development Code. To the extent that any submission of proposed development plans is substantially different than the original exploratory development plans submitted to the County, the Department is further requested to assess the impact of the new submission's traffic generation upon the local transportation network. The scope of the assessment shall be at the reasonable discretion of the Department.

Section 94. Red Light Safety Enforcement. (a) The program shall continue to use recognized safety and accident criteria in determining whether and where to add any new enforcement locations to this program. Prior to any new locations, the incumbent state senator and representative for the districts in which such locations are proposed, shall be notified prior to installation.

(b) To assure integrity and propriety, no person involved in the administration or enforcement of this program shall own any interest or equity in the vendor used by the Department to support the administrative elements of the program. Any such person with an ownership or equity interest in such vendor must divest from this ownership or investment no later than 90 days after the effective date of this Act. This restriction applies to anyone with either direct involvement in administering or enforcing this program and those in any supervisory capacity above such persons.

Section 95. Craft Training. The Department is authorized to engage in up to two project procurements (one in New Castle County and one in Kent County) utilizing the craft training and apprentice program called for in 29 Del. C. § 6962(c), on an experimental basis. Any contractor that performs work in multiple trades on a road construction project under the craft training experiment will have an apprenticeship in at least one, not all of the trades on the project to comply with this experiment. Upon the completion of these experiments, the Department shall report to the Joint Legislative Committee on the Capital Improvement Program with its assessment of the program including, but not limited to, cost savings, project quality and worker safety.

Section 96. Chestnut Hill Road Parcel. The provisions of 17 Del. C. § 137 notwithstanding, the Department is authorized to enter into agreements with other governmental agencies, either directly or in concert with a private entity, regarding a Department-owned parcel known as NC227, Tax Parcel Number 11-003.30-027, on terms the Secretary deems appropriate, for purposes of evaluating the costs and benefits of fuel cell technology from

environmental and economic development perspectives, which the General Assembly hereby finds is an appropriate public purpose.

Section 97. Rehabilitation of Public Streets, Industrial Parks. In order to maintain a safe, attractive and efficient network of public streets serving the State's growing inventory of industrial parks, 78 Del. Laws c. 76, § 123 authorized the Department to spend sums not exceeding $250,000 on a program to address this issue. The Department shall prepare an inventory of all public streets within the State's industrial parks. It shall further rank all of these streets in the same manner that it prepares the annual program of roads eligible for the Paving and Rehabilitation Program authorized elsewhere in this Act. The Secretary shall then distribute this list to all members of the General Assembly, together with an estimate of the amounts necessary to address those public streets in this inventory most in need of repair. If a member of the General Assembly elects to allocate funds from his/her CTF to repair any of these public streets, the Secretary may draw on this appropriation to match those individual CTF dollars on the basis of one dollar from this special account for every one dollar allocated by the member. The Secretary shall notify all members of his intent to make such matching allocations, and shall require any member interested in participating to notify the Department of his/her interest within 30 days from the date of such announcement. In the event that the sum of all individual member requests exceeds the amounts authorized by this section, the Department shall prioritize the industrial park streets to be improved on the basis of the ranking required by this section, and shall share its decisions with all members of the General Assembly. For purposes of preparing this inventory and ranking, the Department is authorized and directed to expend such sums as may be necessary from the accounts established for statewide paving and rehabilitation activities. For purposes of eligibility, the industrial park public streets shall be limited to those streets which meet department standards and are currently maintained by the Department.

Section 98. Community Transportation Fund. The Department will provide an annual financial report regarding projects funded through CTF and will report to the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program by June 30 of each fiscal year.

Section 99. Weldin House. WHEREAS, the State of Delaware, acting through the Department of Transportation (hereinafter referred to as the "Grantee" or "DelDOT") entered into an Permanent Conservation Easement Agreement with Sycamore Development Group, LLC (hereinafter referred to as "Grantor") on December 22, 2005. This Permanent Conservation Easement Agreement (hereinafter referred to as the "Agreement") between the Grantee and the Grantor was for the fee simple conveyance of a parcel of land in New Castle County of the State of

Delaware, identified as Tax Parcel Number 06-139.00-158. This parcel includes a building known as the Jacob Weldin House, which is a historic landmark in a condition of disrepair and in need of significant restoration. Due to the historic value of the parcel and the need for the building on the lot to be restored, title was conveyed to Grantor which included a multitude of limitations and conditions that would be imposed upon the Grantor, including a Permanent Conservation Easement Agreement that required Grantor to perform many delineated actions. It is noteworthy that the Agreement required the Grantor to preserve and protect the conservation values of the property and to complete the restoration and rehabilitation and renovation of the Jacob Weldin House in a timely manner. This Agreement expressly allowed DelDOT, as the Grantee of this parcel, to be able to take actions against the Grantor to enforce the Agreement if a factual situation arose that would require such actions. DelDOT is the only entity that is authorized pursuant to the terms of this Agreement, after certain notice provisions are accomplished to bring an action at law or in equity in a court to enforce the terms of the Agreement and to obtain temporary or permanent injunctions to require the restoration of the Jacob Weldin House to its prior condition.

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

Section 100. Route 1 Widening. The Department is encouraged to consider all feasible and prudent options with respect to access issues for the proposed widening of State Route 1 between State Route 273 and the Senator William V. Roth Bridge, including but not limited to the provision of new ramps in the vicinity of Newtown Road.

Section 101. Community Transportation Fund. The Department shall continue to allow the funding of state historical markers through the CTF. Said CTF-funded markers shall be placed either within the right-of-way, or as close thereto as safety conditions will permit and shall be positioned to be as visible as possible from the roadway consistent with applicable highway safety standards. State historical markers, regardless of placement, shall be exempt from all county or local signage regulations, ordinances, fees or licenses. Existing historical markers shall be brought into compliance with current standards only as they require replacement, in which case CTF funding may be used for

said replacement and, if necessary, repositioning consistent with current safety standards. If a marker must be relocated or replaced as the result of a transportation road project, the cost of said relocation or replacement, as well as the cost of upgrading of the marker to current safety standards shall be borne by the Department as an expense of the project.

Section 102. Research Programs. ~~The~~ Section 1 Addendum of this Act ~~appropriates~~ makes various appropriations to the Department.

(a) Of this amount, the Department shall fund a minimum amount of $250,000 for the purposes of funding research programs.

(b) Of this amount, $62,500 shall be used for infrastructure research and forums through the University of Delaware, Institute for Public Administration. An additional $50,000 shall be allocated for the purposes set forth in this section to be funded from eligible federal funds. These activities funded by this appropriation shall be approved by the Secretary.

Section 103. Private Easements. (a) The General Assembly finds as follows:

1. Many Department projects require the relocation of utility lines, both above and below ground, to accommodate the expansion or relocation of pavement and preserve the ability of utility companies to access their facilities without undue disruption to the State's transportation network.
2. While many utility lines are located within existing rights-of-way, and an acceptable legal framework is in place for such relocations, the transmission lines for public electric and/or gas utilities, regulated under 26 Del. C., are often located on adjacent private easements obtained by such utilities.
3. The relocation of such transmission lines from such easements complicates and delays the Department's projects, due to the utility company's need to maintain a chain of private perpetual easements for transmission lines under their financing schemes, and the difficulty of arranging for the shutdown of such facilities on a schedule that also meets the Department's requirements for its projects. These difficulties are not capable of being addressed in any practical way by reference to these company's own powers of eminent domain under 26 Del. C., due to the inability to coordinate both sets of property acquisitions for the Department and the utilities.
4. To address this situation effectively, the Department should be granted the authority to acquire all property rights needed for coordinated use by both the Department and the public utilities when

conditions warrant, followed by the disposition of such portions of land needed for the continuation of the private easements adjacent to the expanded state rights-of-way.

(b) Notwithstanding any other provision of the Delaware Code to the contrary, the Department is authorized to acquire property rights, including but not limited to the exercise of eminent domain powers under 17 Del. C. § 137, to include the acquisition of necessary real property rights needed for the relocation of public utilities impacted by a Department project, when such utilities own adjacent private easements for the perpetual use of their transmission lines. After having obtained all property rights for its project and the relocation of such transmission lines, the Department is authorized to dispose of such portions of the property it acquires as needed for the continuation of the private utility transmission easements held by the public utilities. To the extent feasible and practical, the disposition shall be a like kind exchange of necessary rights to maintain a chain of private perpetual easements and may include additional rights for which the party receiving the additional rights shall compensate the granting party accordingly. Any such like kind exchange and compensation agreement may be on terms acceptable to the utility and the Department. In the absence of such agreement, any condemnation actions exercising this authority shall be processed in accordance with the procedures set forth in 10 Del. C. c. 61.

(c) The Department shall only use this provision for the following projects:

1. West Dover Connector
2. Bridge 1 - 159 on James Street over Christina River
3. Plantations and Cedar Grove Road
4. U.S. 9 Intersection at Sweet Briar Road
5. U.S. 9 Intersection at Fisher Road

Section 104. EdgeMoor Gas Supply. (a) The General Assembly notes the State of Delaware's continuing support for the EdgeMoor Plant and its longstanding, significant contribution to Delaware's economy in the form of employment and production of products, including the manufacture of titanium dioxide (a pigment used in many applications including paint), and the continued and necessary supply of oxygen and nitrogen gases needed for the production process at the EdgeMoor Plant. The General Assembly further acknowledges that the private utility facilities, owned by Linde LLC and installed in 1963 under permit by the then-Delaware Highway Department, which supplies the EdgeMoor Plant with such gases, face unique access and operational issues impacting the continued accommodation of their pipelines within the Governor Printz Boulevard right-of-way, putting continued production at

and the several hundred jobs associated with the EdgeMoor Plant in question. Under 26 Del. C. c. 13, utility corporations regulated by the Public Service Commission are entitled to the free, regulated use of the State's rights-of-way for the placement of gas, water, wastewater, and oil transmission pipelines. However, independent providers who are not so regulated may not use these rights-of-way for the longitudinal placement of their facilities or transmission lines or similar underground conduits. These entities may only enter into use and occupancy agreements to cross such rights-of-way. The General Assembly notes that such independent providers are often unable to make any reasonable private arrangement for locating their facilities on private easements or arrangement for location on public lands, unless a specific exception is created for this limited purpose within the State's rights-of-way.

(b) Notwithstanding any other provision of Delaware law, regulation, rule, or policy to the contrary, for as long as the EdgeMoor Plant continues to engage in manufacturing operations requiring the supply from the in-place oxygen and nitrogen pipelines, the Department is authorized to contract for the use of the State's rights-of-way with Linde LLC, a private independent purveyor of industrial gases to the EdgeMoor Plant, or its successors or assigns, subject at all times to the following terms and conditions:

(i) provisions for review and approval by the Department of the location and placement of all such privately owned facilities in the State's rights-of-way, including but not limited to assuring compliance with the Department's Utility Manual Regulation and the Underground Utility Damage Prevention and Safety Act (26 Del. C. c. 8);

(ii) provisions to reflect the fact that all other necessary approvals and agreements for such purposes have been or will be obtained from the appropriate State agencies, as well as any relevant municipality or other political subdivision of the State;

(iii) provisions for an appropriate initial length of time for which the State's right-of-way will be used for this purpose, similar to the franchise agreements the Department enters into with public utility corporations, including any renewal terms thereof;

(iv) provisions to address the cost of future relocations of such privately owned facilities, if the right-of-way is required for roadway purposes or by a public utility to be reconstructed, widened, or altered during the term of the contract if efforts to find a reasonable and industry accepted alternative that does not involve a relocation of the privately owned facilities cannot be found;

(v) provisions as needed to accommodate the New Castle County Sewer Interceptor project including (A) provisions for the relocation of such privately owned facilities, within the State's rights-of-way, if efforts to find a reasonable and industry accepted alternative that does not involve a relocation of the privately owned facilities cannot be found and (B) provisions for the prompt determination of a reasonable and industry accepted alternative, including cost allocation and liability acknowledgement, through an agreement between New Castle County and Linde LLC that is acceptable to the Department of Transportation;

(vi) provisions for bonding or other acceptable forms of security for the eventual removal of such facilities; (vii) provisions for the conversion of the contract to a standard franchise agreement with a utility corporation regulated by the Public Service Commission, if these privately owned facilities are ever acquired by such entity; and

(viii) provisions for compensating the State for the use of these rights-of-way, based on a fair market value assessment. This compensation shall be calculated and expressed as a property lease payment. Any such payments shall be deposited to the credit of the Transportation Trust Fund created in 2 Del. C.

Section 105. Construction Manager/General Contractor Pilot. The U.S. Department of Transportation is encouraging states to explore procurement alternatives for transportation project delivery, through its Every Day Counts Initiative, aimed at shortening the time frame required for project completion and reducing overall project costs, while still providing quality assurance for the results. Therefore, the Department is hereby authorized to utilize Construction Manager/General Contractor ("CM/GC") procurement mechanisms, for up to six transportation construction projects. "Construction Manager/General Contractor" is a project delivery method under which an owner selects a General Contractor to provide consultation during the design of the project. After the project design is completed, the General Contractor may submit a bid to perform the construction work. The owner evaluates the bid and may decide to award the construction contract to the General Contractor, or advertise the construction contract to be bid. CM/GC entities may be a single firm, a consortium, a joint venture, or a combination of entities. The use of these experimental procurement approaches is further subject to the following conditions:

(a) The construction contract terms shall include provisions to pay prevailing wage rates as provided in 29 Del. C. § 6960, or the applicable Federal prevailing wage rate, whichever is higher.

(b) The following additional provisions of 29 Del. C. c. 69 shall also be incorporated into these contracts: (1) § 6962(d)(4)a. (anti-pollution, conservation environmental measures); (2) § 6962(d)(7) (equal employment opportunity assurances); and (3) § 6962(d)(8) (performance bonding requirements).

(c) Any such contracts shall conform to all applicable Federal laws and regulations concerning CM/GC contracting, without regard to the source of funds.

(d) Any such contracts shall also be subject to the provisions of 17 Del. C. c. 8 (construction payments held in trust for protection of subcontractors and suppliers).

(e) All other provisions of 29 Del. C. c. 69 shall not be applicable to these projects, except as referenced in this section.

(f) The Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program and the Director of OMB shall approve all projects subject to this section.

Section 106. Collector-Distributor Road/Modification to Scarborough Road Interchange. The Department is hereby directed to take such actions and enter into such contracts as it deems necessary and appropriate for the evaluation and assessment of a possible Collector-Distributor Road modification to the Scarborough Road Interchange (the "C-D Road"), including but not limited to (1) a feasibility study designed to evaluate and assess viability and implications of the C-D Road, (2) a toll study designed to ascertain the volume of traffic likely to utilize the C-D Road and the prospects for generating toll revenues therefrom, and (3) a wetlands delineation to determine whether or not any wetlands mitigation may be required in order to construct the C-D Road; provided, however, that (a) the owner of the property occupied by The Dover Mall (the "Developer") shall pay all of the costs to conduct the aforesaid study, not to exceed $250,000; (b) the Department shall conduct the feasibility study in consultation with the Developer; and (c) upon completion of the aforesaid feasibility study, the Department shall report back to the Joint Legislative Committee on the Capital Improvements Program regarding the feasibility of the C-D Road, before the Department undertakes commencement of the aforesaid toll study and wetlands delineation.

DEPARTMENT OF AGRICULTURE

Section 107. New Castle County Farmland Initiative. Notwithstanding the provision of any law to the contrary, 79 Del. Laws, c. 292 appropriated $300,000 for the New Castle County Farmland Initiative. Said funding shall be used to assist New Castle County to purchase conservation easements in the Port Penn Corridor.

Section 108. Farmland Preservation. ~~It is the intent of the General Assembly that $3,000,000 of settlement funds, held in appropriation 29626, within Legal, Office of Attorney General (15-01-01) be appropriated for Farmland Preservation.~~ For the fiscal year ending June 30, ~~2016~~ 2017, $600,000 of the $3,000,000 allocated for Farmland Preservation Funding may be utilized by the Aglands Preservation Foundation in accordance with the rules and policies for the Delaware Young Farmer Program in accordance with 3 Del. C. c. 9. All remaining state-appropriated funds shall be utilized by the Aglands Preservation Foundation to preserve eligible farms statewide through the traditional farmland preservation program at its discretion in accordance with Aglands Foundation rules and policies. Local jurisdiction funds committed to farmland preservation for Fiscal Year ~~2016~~ 2017 shall be spent to preserve farmland only in the respective jurisdictions where the funds originate. Farms to be preserved shall be selected by the local jurisdictions according to the jurisdictions selection criteria from eligible farms as listed by the Aglands Preservation Foundation. Similarly, any funds provided by nongovernment organizations shall be spent according to their selection criteria from eligible farms as listed by the Aglands Preservation Foundation.

FIRE PREVENTION COMMISSION

Section 109. Hydraulic Rescue Tools Replacement. It is the intent of the General Assembly that the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Fire School, Newark, ~~Christiana, Five Points, Good Will, Wilmington Manor, Port Penn, Belvedere, Farmington, Leipsic, Little Creek, Magnolia, Marydel, Frankford, Greenwood, Gumboro, Laurel, Slaughter Beach and Roxana~~ Brandywine Hundred, Claymont, Odessa and Middletown fire companies. Upon submitting the receipt of sale, each company will be reimbursed up to $7,500 by the Fire Prevention Commission, State Fire School (75-02-01).

DELAWARE NATIONAL GUARD

Section 110. Delaware National Guard. Notwithstanding 29 Del. C. c. 69 or any other statutory provision to the contrary, the Delaware National Guard may use design/build project delivery methodology for the purpose of constructing a Field Maintenance Shop at Dagsboro Readiness Center. To enable the pursuit of a design/build methodology for this project, all provisions of 29 Del. C. c. 69 are hereby waived with the exception of § 6960 related to prevailing wage.

Section 111. Delaware National Guard Design/Build New Castle. Notwithstanding 29 Del. C. c. 69 or any other statutory provision to the contrary, the Delaware National Guard may use design/build project methodology for the purpose of constructing a Combined Support Maintenance Shop at River Road Training Site in New Castle. To enable the pursuit of a design/build methodology for this project, all provisions of 29 De. C. c. 69 are hereby waived with the exception of § 6960 related to prevailing wage.

DELAWARE STATE UNIVERSITY

Section 112. Convocation Center. The Joint Legislative Committee on the Capital Improvement Program accepts the Delaware Convocation Center Feasibility Study final report and recognizes the need for such a facility at Delaware State University and in Central Delaware. The Committee will work towards exploring options for funding the building of the facility in future fiscal years. In support of the continued development of the Convocation Center, Delaware State University shall work with stakeholders comprised of local healthcare leaders in the planning of a Health Institute to be incorporated within the Convocation Center.

DELAWARE TECHNICAL COMMUNITY COLLEGE

Section 113. Collegewide Asset Preservation Program. ~~The~~ Section 1 Addendum of this Act ~~provides funds for~~ makes an appropriation to Delaware Technical Community College for the Collegewide Asset Preservation program. This appropriation may be used for the acquisition of computer hardware and software.

DEPARTMENT OF EDUCATION

Section 114. School Building and Custodial Verification. By September 30 of each calendar year, each school district shall notify the Department of Education (Department) 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 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 shall verify and reissue custodial allocations to each school district based on the information obtained annually.

Section 115. 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 116. Minor Capital Improvements. It is the intent of the General Assembly that ~~the sum of $10,900,000 allocated~~ funds authorized in the Section 1 Addendum of this Act be used for minor capital improvements to school buildings in the following amounts:

~~School District~~	~~Maximum State Share~~	~~Maximum Local Share~~	~~Total Cost~~
~~Appoquinimink~~	~~$722,362~~	~~$481,575~~	~~$1,203,937~~
~~Brandywine~~	~~774,654~~	~~516,436~~	~~1,291,090~~
~~Special~~	~~18,040~~		~~18,040~~
~~Christina~~	~~1,149,988~~	~~766,659~~	~~1,916,647~~
~~Special~~	~~64,725~~		~~64,725~~
~~Colonial~~	~~711,684~~	~~474,456~~	~~1,186,140~~
~~Special~~	~~11,458~~		~~11,458~~
~~New Castle VoTech~~	~~564,242~~		~~564,242~~
~~Red Clay~~	~~1,180,923~~	~~787,282~~	~~1,968,205~~
~~Special~~	~~18,893~~		~~18,893~~
~~Caesar Rodney~~	~~514,364~~	~~342,909~~	~~857,273~~
~~Special~~	~~26,329~~		~~26,329~~
~~Capital~~	~~472,457~~	~~314,971~~	~~787,428~~
~~Special~~	~~24,988~~		~~24,988~~

~~Lake Forest~~	~~278,794~~	~~185,863~~	~~464,657~~
~~Milford~~	~~306,951~~	~~204,634~~	~~511,585~~
~~Polytech~~	~~145,296~~		~~145,296~~
~~Smyrna~~	~~386,084~~	~~257,389~~	~~643,473~~
~~Cape Henlopen~~	~~353,173~~	~~235,449~~	~~588,622~~
~~Special~~	~~29,986~~		~~29,986~~
~~Delmar~~	~~99,977~~	~~66,651~~	~~166,628~~
~~Indian River~~	~~710,221~~	~~473,481~~	~~1,183,702~~
~~Special~~	~~15,968~~		~~15,968~~
~~Laurel~~	~~159,217~~	~~106,145~~	~~265,362~~
~~Seaford~~	~~256,633~~	~~171,089~~	~~427,722~~
~~Sussex Technical~~	~~188,325~~		~~188,325~~
~~Woodbridge~~	~~174,356~~	~~116,237~~	~~290,593~~
~~Campus Community~~	~~49,976~~		~~49,976~~
~~Academia Antonia Alonso~~	~~26,938~~		~~26,938~~
~~Early College High School~~	~~15,724~~		~~15,724~~
~~First State Montessori~~	~~34,130~~		~~34,130~~
~~Academy of Dover~~	~~35,349~~		~~35,349~~
~~ASPIRA Academy~~	~~65,944~~		~~65,944~~
~~DAPSS~~	~~44,247~~		~~44,247~~
~~Delaware Military Academy~~	~~69,357~~		~~69,357~~
~~East Side Charter~~	~~50,951~~		~~50,951~~
~~Family Foundations~~	~~98,855~~		~~98,855~~
~~Gateway Charter~~	~~25,841~~		~~25,841~~
~~Kuumba Academy~~	~~56,558~~		~~56,558~~
~~Delaware College Prep Academy~~	~~24,744~~		~~24,744~~
~~M.O.T. Charter~~	~~105,925~~		~~105,925~~
~~Newark Charter~~	~~237,447~~		~~237,447~~
~~Odyssey Charter School~~	~~113,726~~		~~113,726~~

~~Positive Outcomes~~	~~15,359~~		~~15,359~~
~~Providence Creek~~	~~83,862~~		~~83,862~~
~~Sussex Academy of Arts~~	~~60,703~~		~~60,703~~
~~Thomas Edison~~	~~90,810~~		~~90,810~~
~~Prestige Academy~~	~~29,986~~		~~29,986~~
~~Wilmington Charter~~	~~118,480~~		~~118,480~~
~~**Total to Schools**~~	~~**$10,815,000**~~	~~**$5,501,226**~~	~~**$16,316,226**~~
~~Vocational Equipment~~	~~85,000~~	~~56,667~~	~~141,667~~
~~**TOTAL**~~	~~**$10,900,000**~~	~~**$5,557,893**~~	~~**$16,457,893**~~

School District	Maximum State Share	Maximum Local Share	Total Cost
Appoquinimink	$759,362	$506,241	$1,265,603
Brandywine	762,801	508,534	1,271,335
Special	18,902		18,902
Caesar Rodney	512,632	341,755	854,387
Special	26,219		26,219
Cape Henlopen	358,169	238,779	596,948
Special	33,536		33,536
Capital	458,413	305,609	764,022
Special	26,951		26,951
Christina	1,099,386	732,924	1,832,310
Special	64,390		64,390
Colonial	708,216	472,144	1,180,360
Special	10,244		10,244
Delmar	98,561	65,707	164,268
Indian River	734,411	489,607	1,224,018
Special	16,341		16,341
Lake Forest	277,609	185,073	462,682
Laurel	162,511	108,341	270,852
Milford	301,389	200,926	502,315
New Castle County VoTech	572,924		572,924
Polytech	145,609		145,609

School District	Maximum State Share	Maximum Local Share	Total Cost
Red Clay	1,165,679	777,119	1,942,798
Special	19,878		19,878
Seaford	254,121	169,414	423,535
Smyrna	382,901	255,267	638,168
Sussex County Technical	176,097		176,097
Woodbridge	180,438	120,292	300,730
Academia Antonia Alonso	39,024		39,024
Academy of Dover Charter	34,634		34,634
Campus Community	50,853		50,853
Charter School of Wilmington	118,536		118,536
Delaware Academy of Public Safety and Security	36,951		36,951
Delaware College Preparatory Academy	22,683		22,683
Delaware Military Academy	68,780		68,780
Early College High School at Delaware State University	25,488		25,488
East Side Charter	54,024		54,024
Family Foundations	96,585		96,585
First State Montessori Academy	39,634		39,634
Gateway Lab	25,854		25,854
Kuumba Academy Charter	78,536		78,536
Las Americas ASPIRA Academy	77,926		77,926
M.O.T Charter	123,536		123,536
Newark Charter	260,974		260,974
Odyssey Charter	141,585		141,585
Positive Outcomes Charter	15,366		15,366
Prestige Academy	27,317		27,317

Providence Creek Academy Charter	84,146		84,146
Sussex Academy of Arts and Sciences	72,439		72,439
Thomas A. Edison Charter	92,439		92,439
Total to Schools	**$10,915,000**	**$5,477,732**	**$16,392,732**
Vocational Equipment	85,000	56,667	141,667
TOTAL	**$11,000,000**	**$5,534,399**	**$16,534,399**

Section 117. Dickinson High School. Funding provided to the Red Clay School District for Equalization as provided for in the Fiscal Year ~~2016~~ 2017 Annual Appropriations Act shall be contingent upon the following:

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

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

Section 118. School Construction Fund Transfers. Notwithstanding any law or other provision to the contrary, the Department, with the approval of the Director of the Office of Management and Budget (OMB) and Controller General, may transfer funding between major capital construction projects within the respective school districts. These transfers shall not authorize any changes in conditions or incur any obligations in excess of the approved Certificate(s) of Necessity.

Section 119. School District Financial Reviews. It is the intent of the General Assembly that, for school districts receiving funds appropriated in the Section 1 Addendum of this Act, should a school district financial position report as required under 14 Del. C. § 1507 demonstrate less than one month of carryover, or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its local payroll obligations, the Director of OMB, in coordination with the Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the school district's capital construction program.

Section 120. School Construction Contractual Documents. Effective January 1, 2007, all school districts that receive state funds for major capital construction projects shall use standard bid and contract documents

developed by OMB, Facilities Management. School districts may enhance the standard bid and contract documents with additional contractual or project-specific requirements, as long as the enhancements do not diminish and are not in conflict with the provisions of the standard documents. The Department, in consultation with OMB, Facilities Management, shall approve any modifications or changes to the provisions of the standard bid and contract documents before a school district may use or enhance the modified documents.

Section 121. Milford School District - Access Road. To ensure that property owned by the Milford School District is used in accordance with the priorities established by the Milford School District Board of Education, no state agency or municipality shall use said district property for any type of additional access road without the approval of the Milford School District Board of Education. If the Milford School District Board of Education does not publicly endorse, by affirmative vote, the placement of an additional access road on district property, no state agency or municipality shall be authorized to condemn such district property for said use.

Section 122. Brandywine School District Conveyances. The General Assembly hereby determines that it is in the public interest to reclaim a portion of the 26.25 acre parcel of land at 3301 Green Street, Claymont, DE 19703 (New Castle County Tax Parcel ID Number 06-071.00-106) held by the Brandywine School District in order for the State of Delaware to convey to the Brandywine Community Resource Council, Inc. (BCRC), a not for profit corporation of the State of Delaware that operates the Claymont Community Center, a portion of said parcel (the CCC Parcel). The General Assembly also hereby determines that it is in the public interest to reclaim the 0.38 acre parcel, also at 3301 Green Street, Claymont, DE 19703 (New Castle County Tax Parcel ID Number 06-084.00-009) (the Second CCC Parcel), in order for the State of Delaware to convey such parcel to BCRC. BCRC provides vital services to the citizens of Delaware and occupies the CCC Parcel and the Second CCC Parcel exclusively. The General Assembly recognizes that as a titled owner of the CCC Parcel and the Second CCC Parcel, BCRC will be better able to serve the citizens of Delaware and be better positioned to receive grants, including facilities improvement grants.

Brandywine School District is hereby authorized and directed to convey the CCC Parcel and the Second CCC Parcel to BCRC for the combined consideration of one dollar. The deed to the aforesaid real property shall contain a provision whereby the Brandywine School District shall have the right of first refusal to the property in the event that the BCRC wishes to vacate the property. If the BCRC vacates the property and the Brandywine School District does

not exercise its right of first refusal, proceeds from the sale of said property shall be governed by the provisions 14 Del. C. § 1057(a)(15).

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

Section 123. Claymont Community Center. In connection with the transfer of property directed pursuant to 77 Del. Laws, c. 329, § 135(b), the Brandywine Community Resource Council, Inc. (BCRC) shall be liable for the payment of survey(s) and/or related transaction costs necessary to determine whether any portion of the land that was conveyed pursuant to the above authority are portions of land originally acquired by the Department of Transportation (DOT) for right-of-way purposes for the construction of Interstate 95. To the extent any survey confirms that any portion of such lands are, in fact, owned by the DOT, and notwithstanding any provisions of 17 Del. C. § 137 to the contrary, the DOT, after receiving any and all necessary approvals from the federal government or any agent thereof for transfer of such land, is further authorized to execute any and all necessary deeds to convey said portions of land to the BCRC and/or the Brandywine School District on the same terms and conditions as the Brandywine School District's related conveyance to the BCRC pursuant to the above authority.

Section 124. Cape Henlopen School District - Sussex Consortium. Notwithstanding the provisions of any other state law, the Sussex Consortium currently housed in the Fred Thomas Building will be relocated into the Lewes School during Fiscal Year 2014 to accommodate space needs. District offices and Osher Lifelong Learning classes will relocate from the Lewes School to the Fred Thomas Building. All necessary renovations to the Lewes School to facilitate the relocation will be funded locally. The Lewes School will not be considered a 100 percent state funded school, for the purpose of major capital projects, until Fiscal Year 2019.

Section 125. Cape Henlopen School District - Sussex Consortium Classrooms. ~~The~~ Section 1 Addendum ~~to~~ of this Act ~~includes an appropriation of $1,132,000~~ makes an appropriation to add an additional 10 classrooms for the Sussex Consortium as part of the construction of the new 720 student elementary school in the Cape Henlopen School District. It is the intent of the Joint Legislative Committee on the Capital Improvement Program that

construction funding in future fiscal years for the additional 10 classrooms shall provide for completing the classrooms consistent with the construction timetable for the new elementary school.

Section 126. Smyrna School District Transfer. The Smyrna School District, with the approval of the Secretary of Education, Director of OMB and the Controller General, is authorized to transfer non-obligated major capital improvement funds from the new Clayton Intermediate School project (Certificate of Necessity # - CN 0824A-B) for district-wide capital improvements considered necessary for the safety, health and welfare of students and technology upgrades. The funds would be used for repairs to the roofing systems at Smyrna Elementary School, John Bassett Intermediate School and the Thomas D. Clayton Building and projects such as building security systems, HVAC system upgrades and upgrades to the district's technology hardware and infrastructure system.

Section 127. Laurel School District Transfer. The Laurel School District, with the approval of the Secretary of Education, Director of OMB and the Controller General, is authorized to transfer non-obligated major capital improvement funds from the 1,400 student High School/Middle School Combined Facility project (Certificate of Necessity # - CN 1216 A-B) for district-wide capital improvements considered necessary for the safety and welfare of students. The funds would be used for improvement to and/or construction of the High School/Middle School athletic facilities.

Section 128. Laurel School District. The Laurel School District, with the approval of the Secretary of Education, Director of OMB and the Controller General, is authorized to transfer non-obligated major capital improvement funds for the North Laurel Elementary School (CN 1216 E) and funds for the selective demolition of the existing Laurel Middle School (CN 1216 F) herein referred to as the 1921 building for district-wide capital improvements considered necessary for the educational enhancement of the district's learning environments as well as for the preservation of the 1921 building. The transferred funds shall be used for the selective demolition of the non-1921 section of the old Laurel Middle School; the demolition of the Field House; and exterior renovation of the 1921 section of the old Laurel Middle School ($1,500,000 allocated for these renovations); and improvement to and/or construction of the new 1,200 pupil Elementary School (Certificate of Necessity # - CN 1216 D). Any non-obligated major capital improvement funds from these capital improvement projects may be used for the selective demolition/selection preservation of the Paul Laurence Dunbar Elementary School.

Section 129. Bond Verification. All bonds issued, or herein before or herein authorized to be issued, by the State are hereby determined to be within all debt and authorization limits of the State.

Section 130. Inconsistency. Insofar as the provisions of this Act are inconsistent with the provisions of any general, special or local laws, or parts thereof, the provisions of this Act shall be controlling.

Section 131. Severability. If any section, part, phrase or provision of this Act or the application thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, phrase, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Act or the application thereof.

Section 132. Effective Date. This Act shall take effect in accordance with the provisions of state law.

SYNOPSIS

This Bill is the Fiscal Year 2017 Bond and Capital Improvements Act.

Delaware Department of Transportation
FY2017 Capital Transportation Program
Appendix A

	State Authorization	Federal Authorization	Other Funding	FY 2017 Authorization
ROAD SYSTEM				
Expressways				
I-95 and SR 141 Interchange, Ramps G and F Improvements		$10,000,000		$10,000,000
SR 141 and Commons Boulevard Intersection Improvements	$9,000,000	5,000,000		14,000,000
Road A / SR 7 Improvements	200,000	800,000		1,000,000
U.S. 301 GARVEE Debt Service		10,984,713		10,984,713
Subtotal Expressways	**$9,200,000**	**$26,784,713**	**$0**	**$35,984,713**
Arterials				
SR 4 Christina Parkway, SR 2 Elkton Road to SR 896 South College Avenue Improvements	$4,060,000	$1,240,000		$5,300,000
SR 299, SR 1 to Catherine Street Improvements	300,000	1,200,000		1,500,000
Walnut Street and East Front Street Improvements	5,000	20,000		25,000
SR 2 Elkton Road, Maryland State Line to Casho Mill Road Improvements	200,000	800,000		1,000,000
U.S. 40 and SR 72 Intersection Improvements	2,600,000	3,000,000		5,600,000
SR 1, Little Heaven Grade Separated Intersection		12,500,000	$7,465	12,507,465
SR 1, South Frederica Grade Separated Intersection		6,000,000		6,000,000
U.S. 113, North/South Improvements	1,000,000			1,000,000
SR 26 Atlantic Avenue from Clarksville to Assawoman Canal Improvements		1,979,329		1,979,329
HSIP Projects	1,770,270	16,190,337		17,960,607
Corridor Capacity Preservation	1,000,000			1,000,000
Subtotal Arterials	**$10,935,270**	**$42,929,666**	**$7,465**	**$53,872,401**
Collectors				
Valley Road and Little Baltimore Road Intersection Improvements	$50,000	$200,000		$250,000
Cedar Lane Road and Marl Pit Road Intersection Improvements	100,000			100,000
Camden Bypass, South Street to Rising Sun Road Improvements		960,000		960,000
Park Avenue Relocation		211,073		211,073
Subtotal Collectors	**$150,000**	**$1,371,073**	**$0**	**$1,521,073**
Locals				
Jamison Corner Road at Boyds Corner Road Improvement	$4,300,000		$3,000,000	$7,300,000
Manor Avenue Sidewalk Improvements	200,000	$800,000		1,000,000
Myrtle Avenue Sidewalk Improvements	200,000	800,000		1,000,000
Garasches Lane Enhancements	100,000	400,000		500,000
Recreational Trails		1,080,000	270,000	1,350,000
Subtotal Locals	**$4,800,000**	**$3,080,000**	**$3,270,000**	**$11,150,000**
Bridges				
Bridge Management Program	$1,760,000	$11,085,000		$12,845,000
Bridge Preservation Program	14,368,720	37,663,029		52,031,749
Subtotal Bridges	**$16,128,720**	**$48,748,029**	**$0**	**$64,876,749**
Other				
Industrial Track Greenway	$2,400,000	$9,600,000		$12,000,000
Transportation Alternatives	763,100	2,837,079		3,600,179
Paving and Rehabilitation	66,200,000	22,800,000		89,000,000
Bicycle, Pedestrian and Other Improvements	800,000	3,200,000		4,000,000
Signage and Pavement Markings	1,629,372	1,482,513		3,111,885
Materials and Minor Contracts	8,000,000			8,000,000
Rail Crossing Safety Program	369,589	1,242,111		1,611,700
Safety Improvement Program	244,444	4,676,196		4,920,640
Traffic Calming	150,000			150,000
Engineering and Contingency	27,540,000	18,000		27,558,000
Intersection Improvements	2,500,000	2,000,000	$600,000	5,100,000
Subtotal Other	**$110,596,505**	**$47,855,899**	**$600,000**	**$159,052,404**
TOTAL ROAD SYSTEM	**$151,810,495**	**$170,769,380**	**$3,877,465**	**$326,457,340**
GRANTS AND ALLOCATIONS				
Municipal Street Aid	$5,000,000			$5,000,000
Community Transportation Fund	16,750,000			16,750,000
TOTAL GRANTS AND ALLOCATIONS	**$21,750,000**	**$0**	**$0**	**$21,750,000**
TRANSIT SYSTEM				
Transit Facilities	$16,095,000	$283,865		$16,378,865
Transit Vehicles	6,426,736	13,075,660	$553,973	20,056,369
Rail Preservation	4,177,442			4,177,442
TOTAL TRANSIT SYSTEM	**$26,699,178**	**$13,359,525**	**$553,973**	**$40,612,676**
SUPPORT SYSTEM				
Aeronautics	$521,000	$160,000		$681,000
Planning	7,072,598	5,278,591		12,351,189
Information Technology	14,013,780	280,000		14,293,780
Heavy Equipment	10,000,000			10,000,000
Transportation Facilities	17,358,607			17,358,607
Transportation Management	1,600,000	7,760,000	$90,000	9,450,000
TOTAL SUPPORT SYSTEM	**$50,565,985**	**$13,478,591**	**$90,000**	**$64,134,576**
GRAND TOTAL	**$250,825,658**	**$197,607,496**	**$4,521,438**	**$452,954,592**