

SPONSOR: Rep. M. Smith & Sen. McDowell

Carson Bushweller
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Kenton Cloutier

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HOUSE OF REPRESENTATIVES 148th GENERAL ASSEMBLY

HOUSE BILL NO. 225

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2016; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

- Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2015 2016, are hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to the provisions of Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the Delaware Code notwithstanding.

 All parts or portions of the several sums appropriated by this Act which, on the last day of June 2015 2016, shall not have
- been paid out of the State Treasury, shall revert to the General Fund; provided, however, that no funds shall revert which
- 9 The several amounts hereby appropriated are as follows:

are encumbered pursuant to 29 Del. C. § 6521.

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(10-00-00) EXECUTIVE

2 3	Personnel				\$ Program			\$ Line Item	
4	NSF	ASF	GF		ASF	GF		ASF	GF
5				(10-03-00) Delaware Economic Developmen	t Office				
6				(10-03-01) Office of the Director					
7			9.0	Personnel Costs					924.3
8				Travel					2.0
9				Contractual Services				102.5	
10				Supplies and Materials				12.7	3.3
11		L		Capital Outlay				10.0	
12			9.0	TOTAL Office of the Director			L	125.2	929.6
13 14				(10-03-02) Delaware Tourism Office					
15		9.0		Personnel Costs			г	665.1	
		9.0		Travel				30.0	
16 17								794.3	
18				Contractual Services Supplies and Materials				10.0	
19				Capital Outlay				10.0	
20				Other Items:				10.0	
21				Tourism Marketing				775.0	
22				Kalmar Nyckel				95.0	
23				National High School Wrestling Tourna	ment			21.2	
24				Northeast Old Car Rally	ment			6.0	
25				Juneteenth				12.0	
26		9.0		TOTAL Delaware Tourism Office			ı	2,418.6	
27		•					-	•	
28				(10-03-03) Delaware Economic Developme	ent Authority	y	_		
29		5.0	19.0	Personnel Costs				307.1	1,781.9
30				Travel				20.0	2.3
31				Contractual Services				318.0	
32				Energy				1.5	
33				Supplies and Materials				10.0	12.4
34				Capital Outlay				30.0	10.0
35				Other Items:	_				
36				Delaware Small Business Development	Center			400.0	125.5
37				Blue Collar				1,700.1	
38				DEDO General Operating				320.9	
39				Delaware Business Marketing Program				300.0	
40		5.0	10.0	Main Street	4 Anthonies			25.0	1 022 1
41 42		5.0	19.0	TOTAL Delaware Economic Developmen	ı Autnority		L	3,432.6	1,932.1
43		14.0	28.0	TOTAL Delaware Economic Developmen	4.000		г	5,976.4	2,861.7

1 Section 82. The Delaware Economic Development Office, Delaware Economic Development Authority 2 (10-03-03) will continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant. 3 Funding for this grant shall be maintained at current levels. 4 Section 83. Section 1 of this Act appropriates \$2,149.7 \$2,418.6 ASF to Executive, Delaware Economic 5 Development Office, Delaware Tourism Office (10-03-02). Of this amount, \$640.3 \$909.2 shall be allocated to 6 "Other Items" as designated in Section 1 of this Act and payable by the Delaware Tourism Office in quarterly 7 allotments. The first installment shall be paid by September 30 of each fiscal year or as otherwise approved by the 8 Director of OMB and the Controller General. 9 Section 84. Notwithstanding the provisions of any other law, for the fiscal year ending June 30, 2015 10 2016, interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall to the extent of 11 such interest earnings, be used in the following order and manner, not to exceed the amounts so noted: 12 (a) The first \$446.1 shall be used for the general operating expenses of the Delaware Economic 13 Development Office, as determined by the Director of the Delaware Economic Development Office. Should interest 14 earnings not be available by September 1, funding shall be made available directly from the Strategic Fund. 15 (b) The second \$150.0 shall be allocated as follows: \$125.0 to the New Castle County Chamber of 16 Commerce's business incubator, the Emerging Enterprise Center and \$25.0 to the Middletown Chamber of 17 Commerce business incubator. 18 (c) The third \$400.0 shall be used for the general operating expenses of the Small Business Development 19 Center. Should interest earnings not be available by December 31, 2014 2015, the center shall receive funding 20 directly from the Strategic Fund for said expenses and shall waive further interest earnings for that period. 21 (d) The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program within the 22 Delaware Economic Development Authority (10-03-03). Should interest earnings not be available by September 1, 23 funding shall be made directly from the Strategic Fund. It is the intent of the General Assembly that these funds 24 shall be used for business marketing and recruitment. These funds may be used together with non-state 25 contributions to the Delaware Business Marketing Program. However, in the event that non-state contributions are not available, or in the event such contributions are insufficient to fully access the resources of the Delaware 26 27 Business Marketing Program, it is the intent of the General Assembly that the Delaware Business Marketing

Program shall continue to fully operate using only the interest earnings on the Delaware Strategic Fund as provided for in 29 Del. C. § 5027.

In the event that non-state contributions are available, they may be made in cash or in-kind. Non-state cash contributions shall be deposited in a special fund for business marketing and recruitment purposes only. Non-state in-kind contributions shall be valued at their fair market value and documented by the Delaware Economic Development Authority in connection with the Delaware Business Marketing Program.

When non-state contributions are used, expenditures of the program shall be divided between non-state contributions and state funds for any fiscal year's appropriations such that non-state contributions are not less than 50 percent of total expenditures. Of the 50 percent non-state contributions, up to 25 percent shall be cash contributions, and up to 25 percent shall be in-kind contributions. These funds shall not be used for hiring full-time employees. Allocations shall be made by the Director of the Delaware Economic Development Office with the approval of the Director of OMB and the Controller General.

On or before April 1, 2015-2016, the Director of the Delaware Economic Development Office shall provide to the Director of OMB and the Controller General a report on the Delaware Business Marketing Program. The report shall include an itemized list of all non-state cash and in-kind contributions received, total expenditures and an assessment of the program to date.

- (e) The fifth \$150.0 shall be used to provide customized information technology training to small and medium-sized businesses through grants made by Delaware Technical and Community College I.T. Learning Center.
 - (f) Any remaining funds shall be used for the purposes of the Delaware Strategic Fund.

Section 85. Of the ASF allocated to the Delaware Tourism Office (10-03-02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this Act, \$100.0 95.0 is authorized for the Kalmar Nyckel. During the period beginning July 1, 2014 2015, and ending on June 30, 2015 2016, the State of Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and/or day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on behalf of the State of Delaware and the Riverfront Development Corporation.

Section 86. The Kalmar Nyckel Foundation shall provide to the Delaware Economic Development Office, OMB and the Controller General's Office financial reports detailing year to date expenditures and revenues as well as projected expenditures and revenues for the remainder of the fiscal year. Such reports shall be due October 1 and March 1 of each fiscal year.

Section 87. Section 1 of this Act appropriates funding for 1.0 FTE Senior Secretary in Executive, Criminal Justice, Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be excluded from classified service as defined under 29 Del. C. § 5903.

Section 88. (a) Section 1 of this Act includes NSF positions funded through grants administered by the Criminal Justice Council (10-07-01). Further, the Delaware State Clearinghouse Committee may, during the fiscal year, approve additional NSF positions supported by Criminal Justice Council administered grants. By virtue of said positions being included in the Annual Appropriations Act and/or approved by the Clearinghouse Committee does not guarantee future state funding upon expiration of federal grants supporting the positions. Any requests for state funding for said positions shall be prioritized by the affected department in its budget request for Fiscal Year 2016.

(b) The Criminal Justice Council shall submit a report to the Director of OMB and the Controller General on May 1 of each year. This report shall forecast to the extent possible the number of federal grants and position requests that may be presented as requests to the Delaware State Clearinghouse Committee during the course of the upcoming fiscal year.

Section 89. Section 1 of this Act appropriates \$211.0171.0 and 1.0 FTE to the Criminal Justice Council (10-07-01) for the Board of Parole. While the Criminal Justice Council shall provide administrative support and fiscal oversight, the Board of Parole shall otherwise operate independently of the Criminal Justice Council. The Criminal Justice Council shall develop reporting requirements for the Board of Parole; reports shall be submitted by the Board of Parole to the Criminal Justice Council, the Office of Management and Budget and the Office of the Controller General.

Section 90. The Criminal Justice Council, Statistical Analysis Center (10-07-03), shall submit by July 15 an annual project schedule for the fiscal year that details the staff workload and time allocation. Requests for (special) projects to be included in this schedule should be made in advance to the Statistical Analysis Center. This



SPONSOR: Rep. Q. Johnson & Sen. Sokola

Potter Bushweller Mulrooney Hall-Long Mitchell Marshall Wilson Hocker

HOUSE OF REPRESENTATIVES 148th GENERAL ASSEMBLY

HOUSE BILL NO. 450

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 AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; 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):

- 1 Section 1. **Fiscal Year 2016 2017 Capital Improvements Project Schedule Addendum. The General Assembly**
- 2 hereby authorizes the following projects in the following amounts for the purposes set forth in this Section 1 and as
- 3 described in the Fiscal Year 2016 2017 Governor's Recommended Capital Budget and Project Information document. Any
- 4 authorization balance (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30,
- 5 2018 2019, shall be subject to reversion or reauthorization.

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SECTION 1 ADDENDUM FISCAL YEAR 2017 CAPITAL IMPROVEMENT PROJECT SCHEDULE

REAUTHORIZA-

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	TION AND REPRO- GRAMMING	SPECIAL FUND REPROGRAMMING	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	300,000			-	-	300,000
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	700,000			-	-	700,000
Delaware Emergency Management Agency (DEMA) Shed Replacement	10-02-50	150,000				-	150,000
Delaware National Guard Project							
Minor Capital Improvement and Equipment	10-02-50	2,205,000				-	2,205,000
Subtot	al:	\$ 41,957,155	5 \$ 687,608	3 \$ -	- \$	\$ 339,259	\$ 42,984,022
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		- 276,859	2,603,141		-	2,880,000
Delaware Stadium Corporation	10-03-03	250,000)		-	-	250,000
Kalmar Nyckel	10-03-03	100,000)		-	-	100,000
Bioscience Center for Advanced Technology (CAT)	10-03-03			1,000,000	-	-	1,000,000
Subtot	al:	\$ 16,150,000	276,859	5,603,141	\$ -	\$ 11,600,000	\$ 33,630,000

DELAWARE ECONOMIC DEVELOPMENT OFFICE

the selection process.

Section 36. 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 37. 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 38. 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 39. 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 40. 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

1	Section 41. Federal Research and Development Matching Grant Program. (a) Section 1 of 79 Del.
2	Laws, c. 292 makes an appropriation to support federal research and development grants to Delaware institutions.
3	The program will be administered through DEDO. Funding requests will be solicited yearly from the University of
4	Delaware, Delaware State University, Delaware Technical Community College and Wesley College and reviewed by
5	a committee consisting of two representatives from each public institution and three representatives of Delaware-
6	based companies appointed by the Governor. The proposed work must complement and extend an on-going federally
7	funded project or assist with start-up costs. Allowable budget categories include salaries and benefits for new
8	graduate students and post-doctoral students, supplies and expenses to support the research of these individuals
9	including infrastructure and capital purchases for equipment necessary to launch, support and sustain the research
10	activities. Requests are capped at \$100,000 per year.
11	(b) DEDO shall evaluate the impact and benefits of the program and findings shall be provided to the Joint
12	Legislative Committee on the Capital Improvement Program no later than May 1, 2017.
13	Section 42. Emerging Technology Center. Notwithstanding any other law to the contrary, funds
14	appropriated to DEDO for the Delaware Emerging Technology Center (ETC), pursuant to 74 Del. Laws, c. 308 §
15	36(c), shall be expended by DEDO for the purpose of operating the ETC. Operating expenses may include, but are
16	not limited to: ETC software licensing agreements; Delaware sponsored ETC investor forums, businesses plan
17	competitions and conferences and marketing campaigns; and Intellectual Property Business Creation program
18	implementation initiatives.
19	Section 43. Riverfront Development Corporation. (a) Funds appropriated for the Riverfront
20	Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the Riverfront
21	Development Corporation Fund hereinafter referred to as the Fund.
22	(b) The Fund shall be invested by the State Treasurer in securities consistent with the policies established
23	by the Cash Management Policy Board. All monies generated by the Fund shall be deposited in the Fund.
24	(c) Funds appropriated to DEDO for RDC shall be expended only with the approval of the Board of
25	Directors of RDC. Funds may only be expended for activities related to the redevelopment of the Brandywine and
26	Christina riverfront areas, including: planning and design studies; the acquisition, construction and improvement of
27	real property; environmental remediation; costs of operations and administration; conversion of the Chase Center on
28	the Riverfront to a conference center; debt service; and other expenses in furtherance of the mission of RDC.

1	Section 44. Limited Investment for Financial Traction (LIFT) and Delaware Rural Irrigation
2	Program (DRIP) Initiatives. Notwithstanding any other law to the contrary, DEDO is hereby authorized to pay
3	administrative fees associated with LIFT and DRIP Initiatives from the Delaware Strategic Fund not to exceed 2
4	percent of the program total.
5	Section 45. Diamond State Port Corporation. (a) The Section 1 Addendum of this Act appropriates makes
6	an appropriation \$13,500,000 to the Diamond State Port Corporation (DSPC). It is the intent of the General Assembly
7	and the Administration that said funds represent funding for the following projects: infrastructure improvements.
8	Amount
9	(a) Container Crane \$1,200,000
10	(b) Infrastructure Improvements \$12,100,000
11	(c) Strategic Plan \$200,000
12	No funds may be expended from this appropriation without the approval of the Board of Directors of the Port
13	Corporation. In addition, DSPC may borrow, on an interest-free basis, \$2,000,000 of this authorization to meet its
14	short-term operating expenses during Fiscal Year 2016 2017.
15	(b) 29 Del. C. c. 95, regarding real property acquisition by state agencies, shall not apply to the Diamond
16	State Port Corporation, which is governed by the provisions of 29 Del. C. c. 87, Subchapter II.
17	Section 46. Delaware Civic Center Corporation. DEDO is directed to renew the corporate status of the
18	Delaware Civic Center Corporation (DCCC) pursuant to the General Corporation Law of this State. Following
19	renewal, the Board of Directors of DCCC shall meet to dissolve the corporation pursuant to the General Corporation
20	Law of this State and shall transfer all of its assets pursuant to Article 14 of its Certificate of Incorporation. DEDO
21	shall pay all reasonable and necessary expenses related to the renewal and dissolution of DCCC, subject to approval
22	by the Director of the Office of Management and Budget and the Controller General.
23	Section 47. Croda Project. The implementation of projects by Croda Inc., in partnership with DEDO, as it
24	relates to subdivision, land development, construction, permitting and code enforcement upon New Castle County
25	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
26	jurisdiction of New Castle County to the extent any such permits and/or approvals are not issued/granted on or before
27	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 2 provisions of the New Castle County Code in effect as of June 26, 2015 are adhered to by Croda Inc. 3 Section 48. Innovation Centers. The agency shall utilize the Strategic Fund to encourage and invite 4 proposals targeted at innovation to support the establishment or expansion of one or more Innovation Centers. The 5 mission of the Innovation Center(s) shall be creation of wealth by new and growing high tech businesses in Delaware 6 that have global impact. The innovation process shall involve assisting in the identification of new product and process 7 ideas that will succeed and the means of taking these new ideas to market. The Center(s) will facilitate the marrying of 8 the resources of Delaware's labor force, academic institutions and technical resources to the expertise of a select group 9 of entrepreneurs who understand opportunity, as well as the means to develop it. 10 Section 49. Mill Creek Fire Company Land Conveyance. Notwithstanding any other law to the contrary, 11 the Delaware Economic Development Authority (DEDA) is authorized to execute and deliver to the Mill Creek Fire 12 Company a good and sufficient deed to transfer all property interests in 0.99 acres of land at 3808 Kirkwood Highway, 13 Wilmington, Delaware 19808 (New Castle County Tax Parcel Number 0803930082), recorded in the New Castle 14 County Recorder of Deeds Book T126, Pages 216-219, to the Mill Creek Fire Company for the consideration of one dollar (\$1.00). The deed to the aforesaid real property shall contain a provision whereby DEDA shall have the right of 15 16 first refusal to the property in the event the Mill Creek Fire Company wishes to vacate the property. If DEDA does not 17 exercise its right of first refusal, proceeds from the sale of said property directly related to the value of the land minus 18 capital improvements borne by the Mill Creek Fire Company shall accrue to DEDA. The Mill Creek Fire Company 19 shall be liable for all transaction costs associated with the property conveyance and receive the property in "as is" 20 condition. 21 Section 50. Fraunhofer Vaccine Development. The Section 1 Addendum to this Act appropriates the 22 remaining \$1,000,000 for Fraunhofer Vaccine Development for the final year of a six-year commitment by the State of 23 Delaware which completes a 2:1 matching grant of \$18,000,000 from Fraunhofer USA. It is the intent of the General 24 Assembly to renew said commitment for an additional five years effective July 1, 2017 to continue a 2:1 match 25 totaling \$15,000,000 from Fraunhofer USA (\$3.0M per year from Fraunhofer USA to match the State's \$1.5M per 26

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year).