

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

**EXECUTIVE ORDER
NUMBER TWENTY-FIVE**

**RE: REALLOCATION OF STATE PRIVATE ACTIVITY BOND VOLUME CAP FOR
CALENDAR YEAR 2001 AND INITIAL SUBALLOCATION OF STATE
PRIVATE ACTIVITY BOND VOLUME CAP FOR CALENDAR YEAR 2002**

WHEREAS, pursuant to 29 DeL.C. §5091, the State's private activity bond volume cap ("Volume Cap") for 2001 under §103 of the Internal Revenue Code of 1986 (the "Code") has been allocated among various state and local government issuers; and

WHEREAS, pursuant to Executive Order Number Eighty-Four, \$75,000,000 of the Volume Cap for 2001 which had been allocated to the State of Delaware was further suballocated between the Delaware Economic Development Authority and the Delaware State Housing Authority; and

WHEREAS, the allocation of Volume Cap in Executive Order Number Eighty-Four is subject to modification by further Executive Order; and

WHEREAS, the State's Volume Cap for 2001 and 2002 is allocated among the various State and local government issuers by 29 DeL.C. §5091(a); and

WHEREAS, Kent County has reassigned \$15,000,000 of its unallocated Volume Cap for 2001 to the State of Delaware; and

WHEREAS, Sussex County has reassigned \$10,500,000 of its unallocated Volume Cap for 2001 to the State of Delaware; and

WHEREAS, the Delaware Economic Development Authority has reassigned \$37,500,000 of its unallocated Volume Cap for 2001 to the Delaware State Housing Authority; and

WHEREAS, pursuant to 29 DeL.C. §5091(b), the State's \$75,000,000 Volume Cap for 2002 is to be suballocated by the Governor among the Delaware State Housing Authority, the Delaware Economic Development Authority and other governmental issuers within the State; and

WHEREAS, the Secretary of Finance recommends (i) that the \$25,500,000 unallocated Volume Cap for 2001 reassigned to the State of Delaware by other issuers be suballocated to the Delaware State Housing Authority for carry forward for use in future years; and (ii) that the \$37,500,000 of unallocated Volume Cap reassigned by the Delaware Economic Development Authority be suballocated to the Delaware State Housing Authority for carry forward for use in future years; and (iii) that the State's \$75,000,000 Volume Cap for 2002 be allocated equally between the Delaware State Housing Authority and the Delaware Economic Development Authority; and

WHEREAS, the Chairperson of the Delaware Economic Development Authority and the Chairperson of the Delaware State Housing Authority concur in the recommendations of the Secretary of Finance.

NOW, THEREFORE, I, RUTH ANN MINNER, by the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. The \$25,500,000 of unallocated Volume Cap for 2001 that has been reassigned by other issuers to the State of Delaware is hereby reassigned to the Delaware State Housing Authority for carry forward use, in addition to the \$37,500,000 previously suballocated to the Delaware State Housing Authority for 2001 under Executive Order Eighty-Four and the \$37,500,000 of unallocated Volume Cap for 2001 that has been reassigned by the Delaware Economic Development Authority, for a total carry forward amount of \$100,500,000.

2. The \$75,000,000 allocation to the State of Delaware of the 2002 Volume Cap is hereby suballocated: \$37,500,000 to the Delaware State Housing Authority and \$37,500,000 to the Delaware Economic Development Authority.

3. The aforesaid suballocations have been made with due regard to actions taken by other persons in reliance upon previous suballocations to bond issuers.



Approved this 21st day of December, 2001

Ruth Ann Minner
Governor

Attest:

Harriet Anita Hudson
Secretary of State