

CHAPTER 14
FORMERLY
SENATE BILL NO. 7
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE POPULATION CONSORTIUM.

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

Section 1. Amend Chapter 91, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Subchapter V. Delaware Population Consortium.

§ 9151. Findings; purpose.

The efficient and effective planning for capital projects and services that benefit Delaware's citizens must rely upon the best technical information available in order to anticipate demographic and population trends. The Delaware Population Consortium is created to do all of the following:

(1) Create a single set of population projections for the State of Delaware because it would be detrimental to have different entities developing competing sets of projections for their own purposes.

(2) Create a single set of population projections with a long-term horizon of 30 years to be beneficial for long-term capital planning.

(3) Use a single methodology that can be refined over time.

(4) Establish a regular annual release date for the population projections to provide consistent and predictable information for entities that rely upon the projections.

(5) Conduct ongoing review of the population projections.

(6) Create population projections that cover a consistent set of geographic areas including the State, each county, and each incorporated municipality.

§ 9152. Delaware Population Consortium.

(a) The Delaware Population Consortium ("Consortium") shall annually prepare, review, and revise a comprehensive set of population projections for the State of Delaware, each county, and each incorporated municipality.

(b) The projections must provide as much detail as feasible within given methodological and financial constraints.

(c) All State agencies, counties, municipalities, and school districts must use the Consortium's projections for planning and policy purposes. If a population estimate is not available for a given year, State agencies, counties, municipalities, and school districts must use either the most recent Consortium projections or the most recent population estimates prepared by the United State Census Bureau, whichever contains the higher population estimate.

(d) The Consortium shall make its projections, and other related demographic information it prepares, available to the public.

(e) The Consortium shall act in an advisory capacity to the State census statistical area committees.

(f) The Consortium shall act as the advisory board for the Delaware Census State Data Center.

(g) The Consortium may perform such other functions and create supplementary materials which are deemed appropriate by Consortium members, including the following:

(1) Create seasonal population projections estimates for resort areas.

(2) Serve as a focus group for population projection estimates at other levels, including Planning Districts and Traffic Analysis Zones.

(h) The Consortium must be governed by a set of by-laws drafted by the membership and approved by two-thirds of the voting members. The by-laws must include all of the following:

(1) The election and terms of officers.

(2) The powers and duties of each officer.

(3) The procedures governing meetings of the Consortium.

(i) The voting members of the Consortium are the following:

(1) A representative from the Office of State Planning Coordination, appointed by the State Planning Coordinator.

(2) A representative from the New Castle County Government, appointed by the County Executive.

(3) A representative from the Kent County Government, appointed by the County Administrator.

(4) A representative from the Sussex County Government, appointed by the County Administrator.

(5) Representatives from each of the federally-designated Metropolitan Planning Organizations (“MPO”) functioning in Delaware, appointed by the Executive Director of each MPO.

(6) Representatives from each incorporated municipality over 20,000 persons, appointed by the Mayor or highest elected official in each jurisdiction.

(7) A representative from the Department of Labor, appointed by the Secretary of the Department.

(8) A representative from the Department of Education, appointed by the Secretary of the Department.

(9) A representative from the Department of Transportation, appointed by the Secretary of Department.

(10) A representative from the Department of Health and Social Services, appointed by the Secretary of the Department.

(11) A representative from the Delaware State Housing Authority, appointed by the Director.

(12) A representative from the Department of Safety and Homeland Security, appointed by the Secretary of the Department.

(13) A representative from the Delaware League of Local Governments, appointed by the President of the Delaware League of Local Governments.

(14) A representative from the Sussex County Association of Towns, appointed by the President of the Sussex County Association of Towns.

(j) To ensure and encourage open dialogue, information sharing, and enhancement and refinement of the accuracy of the population projections, other interested persons may participate in the Consortium as non-voting members.

(k) Quorum of the Consortium is a majority of the voting members.

(l) Meetings of the Consortium must be conducted under the requirements of the Freedom of Information Act, Chapter 100 of this title.

Section 2. This Act takes effect on November 1, 2019.

Approved May 14, 2019