

Sen. John J. Walsh, Chair
Sen. Stephanie L. Hansen
Sen. Brian G. Pettyjohn
Sen. Bryant L. Richardson
Sen. David P. Sokola



Rep. Stephanie T. Bolden, Vice-Chair
Rep. Andria L. Bennett
Rep. Gerald L. Brady
Rep. Timothy D. Dukes
Rep. Jeffrey N. Spiegelman

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Minutes - 4.27.17

Vice-Chair Stephanie T. Bolden called the meeting to order at 12:10 pm and asked for a moment of silence for fallen Delaware State Trooper Cpl. Stephen J. Ballard. Committee members present included Vice-Chair Bolden; Senators Hansen, Pettyjohn, Richardson, Sokola; and Representatives Dukes, and Spiegelman. Entering late was Representative Brady. Julie Fedele, JLOSC Analyst; Holly Vaughn Wagner, Legislative Attorney; Lexi West, Legislative Fellow; and Julia Dumas Wilks, Administrative Specialist II were also present.

Representative Spiegelman motioned to approve the April 5, 2017 minutes, and was seconded by Senator Pettyjohn. The motion carried 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

State Board of Education:

Vice-Chair Bolden welcomed representatives from the State Board of Education (“the Board”). The Board was represented by Dr. Teri Quinn Gray, President; Mrs. Nina Lou Bunting, Vice-President; Ms. Donna Johnson, Executive Director; Dani Moore, Administrative Assistant; and Valerie Dunkle, Attorney General.

Vice-Chair Bolden addressed the need to review the tabled recommendations for the State Board of Education Recommendation Meeting on March 21, 2017. Vice-Chair Bolden read Recommendation 2, and asked committee members for questions and comments. Dr. Teri Quinn Gray explained *Appendix A – Powers, Duties, and Responsibilities of the State Board* document to clarify the Board’s duties. Senator Sokola clarified the Appendix provided detailed all 104 regulations, which require the approval of the State Board of Education. Representative Spiegelman motioned to table the discussion of Recommendation 2 until the May 11, 2017 committee meeting. Senator Sokola clarified the recommendation was to require the Board clarify their duties; the Senator believes the documentation provided satisfied the recommendation. Representative Spiegelman withdrew his previous motion and motioned to defer further discussion of Recommendation 2 until the May 11, 2017 meeting. The motion was defeated.

Vice-Chair Bolden read Recommendation 4. Senator Sokola noted this was satisfied on line 118 of the proposed draft legislation submitted to the Committee.

Vice-Chair Bolden read Recommendation 5, and asked committee members for questions and comments. There was no discussion. The Board submitted an updated copy of the Executive Director's job description, to align with the Board's duties.

Vice-Chair Bolden read Recommendation 6, and asked committee members for questions and comments. Dr. Teri Quinn Gray proposed that in each county the Board would rotate meetings and it will be updated in their procedures manual.

Vice-Chair Bolden read Recommendation 7, and asked committee members for questions and comments. Dr. Teri Quinn Gray advised that the Board has made adjustments to have meetings at or after 5pm starting July 2017. Senator Sokola requested attendance be monitored to see if there are changes in public attendance. Vice-Chair Bolden motioned to adjust the recommendation to include a report to the JLOSC to verify the impact of this recommendation, seconded by Senator Pettyjohn. The motion carried by 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

Vice-Chair Bolden read Recommendation 8, and asked committee members for questions and comments. Dr. Teri Quinn Gray explained the Board's proposal for keeping public comment guidelines in the procedures manual versus the Delaware Code, citing the need for flexibility. Ms. Johnson explained the Board procedures for public comment on regulations. Senator Sokola questioned if written public comments post-meeting would be accepted. Ms. Johnson explained the Board's procedures for public comment on regulations. Representative Spiegelman expressed concerns that the public would be discouraged from sharing their comments with the Board. Dr. Teri Quinn Gray clarified that the Board does celebrate public comment and that the proposal was not intended discourage public comment. The board will add an opportunity for public comment at the end of points of agenda. However, they would not be able to confirm that time slots will be confirmed after every agenda item.

Vice-Chair Bolden read Recommendation 9.

Vice-Chair Bolden motioned to table all remaining discussion for the State Board of Education until the May 11, 2017 meeting, seconded by Senator Pettyjohn. The motion carried by 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

Agricultural Lands Preservation Foundation

Vice-Chair Bolden welcomed Austin Short, Deputy Secretary from the Delaware Department of Agriculture representing the Delaware Agricultural Lands Preservation Foundation ("the Foundation").

Representative Spiegelman motioned to accept the proposed draft legislation as written, seconded by Senator Pettyjohn, and carried 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Brady, Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

Delaware Information Analysis Center (DIAC)

Vice-Chair Bolden welcomed Sergeant Darren Lester, representing the Delaware Information Analysis Center (“DIAC”).

Representative Spiegelman motioned to accept the letter of support as written, seconded by Senator Pettyjohn, and carried 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Brady, Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

Senator Richardson motioned to adjourn the meeting at 1:15 pm, which was seconded by Representative Spiegelman, and carried 8 (Senators Hansen, Pettyjohn, Richardson, Sokola; Representatives Brady, Bolden, Dukes, and Spiegelman)-0, 2 absent (Senator Walsh and Representative Bennett).

Respectfully prepared by:

Julie Fedele, JLOSC Analyst, Joint Legislative Oversight and Sunset Committee.

Access to the audio recording of this proceeding is available upon request.