

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



Sen. John J. Walsh, Vice-Chair
Sen. Stephanie L. Hansen
Sen. Brian G. Pettyjohn
Sen. Anthony Delcollo
Sen. David P. Sokola

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Minutes – 06.12.18

Chair Bolden called the meeting to order at approximately 12:15pm. Committee members present included Senators Delcollo, Hansen, Pettyjohn, Sokola; Representatives Bennett, Bolden, Dukes, and Spiegelman. Entering late were Senator Walsh and Representative Brady. Staff present included Julie Fedele, JLOSC Analyst; Holly Vaughn Wagner, Legislative Attorney; Mark Cutrona, Deputy Director, Division of Research, RuthAnn Jones, Fiscal Analyst and Victoria Cook, Legislative Fellow. A quorum was met.

Chair Bolden welcomed the members of the Committee and public. Representative Spiegelman motioned to approve minutes from the June 5, 2018 meeting, seconded by Senator Pettyjohn. The motion carried 8 (Senators Delcollo, Hansen, Pettyjohn, Sokola; Representatives Bennett, Bolden, Dukes, Spiegelman)-0, 2 absent (Senator Walsh, Representative Brady).

Attention turned to the Board of Occupational Therapy. Chair Bolden welcomed David Mangler, Director, Division of Professional Regulation, and Mara Beth Schmittinger, Board Chair representing the Board. Discussion moved to the May 23, 2018 draft legislation to amend Title 24 of the Delaware Code relating to the Board of Occupational Therapy. Holly Vaughn Wagner explained the draft legislation. There were no comments from the committee or the Board.

Senator Pettyjohn motioned to approve the May 23, 2018 draft legislation, seconded by Representative Spiegelman. The motion carried 8 (Senators Delcollo, Hansen, Pettyjohn, Sokola; Representatives Bennett, Bolden, Dukes, Spiegelman)-0, 2 absent (Senator Walsh, Representative Brady).

Discussion moved to potential entities to be reviewed for the 2019 legislative session. Committee Analyst, Julie Fedele provided an overview and clarified 2018 holdover entities, Council on Corrections, and the Division of Waste and Hazardous Substances, Delaware Hazardous Substance Cleanup Act Fund. Senator Pettyjohn motioned to place the Delaware Advisory Council on Career and Technical Education under sunset review for 2019, seconded by Representative Spiegelman. The motion carried 9 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Dukes, Spiegelman)-0, 1 absent (Representative Brady).

Discussion moved to the Board of Constables. Comments were made concerning the role of constables. Senator Pettyjohn motioned to place the Board of Constables under sunset review for 2019, seconded by Representative Spiegelman. The motion failed 4 (Senators Delcollo,

Pettyjohn; Representatives Dukes, Spiegelman)-6 (Senators Hansen, Sokola, Walsh; Representatives Bennett, Bolden, Brady), 0 absent.

Discussion moved to Delaware Health Information Network (“DHIN”). Comments were made concerning the DHIN and health care costs in the state budget. Senator Sokola motioned to place DHIN under sunset review for 2019, seconded by Senator Pettyjohn. The motion carried 10 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Brady, Dukes, Spiegelman)-0, 0 absent.

Attention turned to the list of entities recommended for review by the Governor’s Office. Lydia Massey, Director of Boards and Commissions represented the Governor’s Office. Committee members expressed concern regarding library funding and closing public libraries. Senator Delcollo motioned to review the Council on Libraries, seconded by Chair Bolden. The motion failed 2 (Senator Delcollo, Representative Bolden) -8 (Senators Hansen, Pettyjohn, Sokola, Walsh, Representatives Bennett, Brady, Dukes, Spiegelman), 0 absent.

It was pointed out that several entities have administrative issues such as meeting quorum. Committee members discussed combining Boards or Commissions, and addressing administrative issues in statute. Senator Delcollo motioned to allow Committee staff to prepare a report on recommended changes to entities to address administrative issues and necessary modifications to the Delaware Code, seconded by Senator Pettyjohn. The motion carried 10 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Brady, Dukes, Spiegelman)-0, 0 absent.

Discussion moved to the Drug Overdose Fatality Review Commission, the Delaware Health Fund Advisory Committee, and the Delaware Nursing Home Resident Quality Assurance Commission. Senator Delcollo motioned to place the Drug Overdose Fatality Review Commission under sunset review for 2019, seconded by Representative Bolden. The motion failed.

Attention turned to the list of entities recommended by the Division of Professional Regulations, represented by Director David Mangler. No motion was made to review any Boards under the Division.

Attention turned to the entities submitted for review by constituent request. Division for the Visually Impaired was requested to be reviewed via letter to the Committee. Senator Pettyjohn motioned to place the Division for the Visually Impaired under sunset review for 2019, seconded by Representative Spiegelman. The motion carried 10 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Brady, Dukes, Spiegelman)-0, 0 absent.

Discussion moved to the University of Delaware Board of Trustees. The Board was requested to be reviewed via letter to the Committee from a constituent. Comments were made concerning the University's status as a public institution with regard to its relationship with the State. Further clarification was requested as to the legal protections the State provides the Board, the public's rights to legal recourse against the Board, and the Board's obligation to demonstrate transparency. Senator Hansen motioned to table discussion of the University of Delaware Board of Trustees until further research can be provided, seconded by Senator Pettyjohn. The motion carried 10 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Brady, Dukes, Spiegelman)-0, 0 absent.

Representative Spiegelman motioned to adjourn the meeting at 1:27, which was seconded by Senator Sokola. The motion carried 10 (Senators Delcollo, Hansen, Pettyjohn, Sokola, Walsh; Representatives Bennett, Bolden, Brady, Dukes, Spiegelman)-0, 0 absent.

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.