



STATE OF DELAWARE
LEGISLATIVE COUNCIL
Meeting Minutes
Wednesday January 16, 2019

Members Present: Senator David B. McBride, Chair; Representative Peter C. Schwartzkopf Vice Chair; Senators Nicole Poore, Brian Townsend, and Catherine Cloutier; Rep. Valerie Longhurst, J. Larry Mitchell, Daniel Short and Timothy Dukes

Members Absent: Absent: Sen. Gerald Hocker

In attendance: Lori Christiansen, Director, Division of Research/Legislative Council; Mark Cutrona, Deputy Director, Division of Research/Legislative Council; Holly Vaughn Wagner, Colinda Marker, and Amy Tricarico, Division of Research/Legislative Council; Michael Morton, Controller General; Janet Roberson, Director, Legislative Information Systems (LIS); Debra Allen, Senate Majority Chief of Staff; Valerie McCartan, Policy Director/Senior Advisor to the President Pro Tempore; Richard Puffer, Chief Clerk of the House; Sean Finnigan, House Majority Chief of Staff; Lauren Vella, Legislative Director, House Majority Caucus; David Burris, Chief of Staff, Senate Minority Caucus; David Deputy, Chief of Staff, House Minority Caucus; Steve Laskowski, Director of Customer Engagement, DTI; Chris Cohan; Michael Jackson, Director of the Office of Management and Budget (OMB); Michael Svaby, Director of Facilities Management; Don Gerardi, Deputy Director, Division of Facilities Management (DFM); Lt. Britt Davis, Capitol Police; George Smiley, New Castle County Council

AGENDA

1. Welcome – Sen. McBride, Chair
2. Approval of September 19, 2018 Meeting Minutes
3. Director, Legislative Council - Report
4. Controller General - Report
5. Legislative Branch IT Update
6. Old Business –
 - a. Legislative Branch IT Update – Steve Laskowski, Director of Customer Engagement
 - b. Facilities Management Presentation on Legislative Hall – Michael Jackson, Director of OMB and Michael Svaby, Director, Division of Facilities Management
7. New Business
8. Other Business
9. Next Meeting – Wednesday March 13, 2019
10. Public Comments
11. Adjournment

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1. **Welcome**

Sen. McBride called the meeting of Legislative Council to order at 12:03 p.m. in the Joint Finance Hearing Room.

2. **Approval of September 19, 2018 Meeting Minutes**

A motion was made by Schwartzkopf and seconded by Sen. Poore to approve the September 19, 2018 Legislative Council meeting minutes. Motion carried. Vote: 9 yes. Senators McBride, Poore, Townsend, and Cloutier; Representatives Schwartzkopf, Longhurst, Mitchell, Short and Dukes.

Absent: Sen. Hocker

3. **Legislative Council Director's Report** – Lori Christiansen welcomed the new and returning members. She then introduced Amy Tricarico, the new Administrative Specialist II. Ms. Christiansen reported on two events held at Legislative Hall and sponsored by the General Assembly. The Womens' Military Service Monument Dedication and the Wreaths Across America ceremony. Members were given the commemorative booklet, a program, and pin from the dedication ceremony. Sen. McBride acknowledged the Division of Research staff for their work on the event. Wreath Across America was held on Monday, December 10th and was supported by the Delaware National Guard. The National Guard provided the color guard, volley, and TAPS. The ceremony was well attended.

Ms. Christiansen thanked leadership for encouraging new legislator participation and making the 150th General Assembly Orientation a success. Sen. McBride said that he had positive feedback from participants. Ms. Christiansen thanked Rep. Dukes for pinch hitting for Rep. Kenton who could not attend at the last minute. Ms. Christiansen reminded the members of Legislative Council that Civility Training is scheduled for Friday, February 15 at Delaware Technical Community College - Dover Campus. The Division of Research has been working with Delaware Technical Community College and the National Institute on Civil Discourse in preparation for the training. Ms. Christiansen reported Fiscal Orientation – the second day of orientation is scheduled for Thursday, January 31. The Controller General's office staff are the primary presenters that day along with Mark Quiner, the Director of NCSL's National Center for Ethics presentation on Ethics and Mark Cutrona's presentation on FOIA.

Ms. Christiansen reported on personnel actions taken at the direction of the President Pro Tempore:

- An additional Joint Legislative Oversight and Sunset (JLOSC) analyst position was established through a vacancy in the Office of Management and Budget. The newly created position will be finalized on Friday, January 18, 2019 awaiting the FTE control to be completed.
- Posting for the JLOSC analyst positions took place on January 10 at 8:00 am and runs through January 17 at 11:59 p.m. The one cert list can be used for both positions.

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- Bethany Fiske, the Assistant Registrar of Regulations resigned and went to DNREC. Her position became vacant on November 25, 2018. A request was submitted to HR to fill her vacancy on November 13, 2018. We received the cert list from HR on December 13, 2018. DOR staff vetted the list and selected 4 candidates for interviews. No further action has taken place per the direction of the Pro Tempore.
- The vacant Senior Legislative Attorney PG 20 was reclassified to a Legislative Attorney PG 18. The reclassification was finalized this morning. Ms. Christiansen asked the Pro Tempore this morning for permission to submit a request to fill vacancy to HR. Mark Cutrona gave a brief presentation regarding this position.
- Ms. Christiansen reported it is believed there is sufficient funds due to salary savings to cover the additional salary costs through this fiscal year, but may have to ask for an increase in Personnel Cost during markup for the next fiscal year. The three offices vacated by the Senate Majority Caucus Attorneys will be filled with the new staff.

There was a discussion over the process used to hire exempt employees versus merit employees. The Division of Research was tasked to develop a hiring policy covering both types of employees. Rep. Longhurst and Sen. Poore will represent Legislative Council on the interview panel for the JLOSC analyst positions.

The filling of the Legislative Attorney position raised some questions over the need for an additional full time attorney. Rep. Longhurst asked that more statistical information be provided that focuses on the work done by the Division of Research legal staff when the legislature is not in session. Sen. Townsend spoke in support of hiring an additional attorney. The DOR will present the additional statistics at the March council meeting.

Ms. Christiansen reported that there is a need to re-evaluate the Registrar of Regulations (ROR) and the Assistant Registrar of Regulations positions and change the requirements for those position so that they be attorneys. The ROR has the same authority as the Code Revisors who by law are required to be attorneys.

4. Controller General Report - Michael Morton reported that the Governor's Recommended Budget will be introduced on January 24 and the Joint Finance Committee public hearing will January 29 and end the week of February 21. The final week of February will remain open if there is inclement weather and hearings need to be rescheduled. Mr. Morton restated the Fiscal Orientation for legislators will be held on Thursday January 31. He reported that he has invited all of the new members of JFC and Bond Committees to his office for a briefing.

6. Old Business

- a. Legislative Branch IT Update** – Steve Laskowski began the IT update with a report on the 4 streams of effort involved in ITC. With the exception of Lotus Notes servers, the consolidation is named completed. Janet Roberson continued the report sighting quarterly releases of application updates, with the next scheduled for February 11, 2019.

Janet reported that required resources were hired and in place, and that the Governance Board is well established and board members are updated monthly on 10 projects currently in process. To date, 4 projects have been completed. She ended with a chart showing the number of Incidents and Service Requests opened and closed by the Service Desk.

- b. Facilities Management Presentation on Legislative Hall** – Michael Jackson, Director of OMB and Michael Svaby, Director, Division of Facilities Management gave a presentation on upgrades to the building that will address the humidity concerns. Rep. Longhurst asked if this would address how cold it is throughout the building. This should help address the issue. The upgrades include core heating, ventilation and air conditioning replacement; envelope improvements which include window repair and replacement, soffit, trim repair sealing of the building foundation, gutter and downspout replacement; step and railing replacement on the north, west and south sides of the building and landscaping on the east side of the building.

Prior to adjournment, Lori Christiansen asked for clarification on hiring. Rep. Schwartzkopf said he would like to hold off on hiring the Legislative Attorney position pending the review of supporting documentation. Sen. McBride added Legislative Council is a committee of consensus. Sen. Poore suggested that there be no action taken on hiring without a hiring policy approved by the members of Legislative Council. The Division of Research will develop a policy for the members of Legislative council to review and approve. There was consensus among the members to proceed with this course of action.

- 7. **New Business** - None
- 8. **Other Business** - None
- 9. **Next Meeting** - Wednesday, March 13, 2019
- 10. **Public Comments** - None
- 11. **Adjournment**- Sen. McBride adjourned the meeting at 1:15 p.m.

Respectfully submitted,
Lori Christiansen
Director
Division of Research/Legislative Council

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