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JLOSC Meeting: March 1, 2022
Starting at 12:00 p.m.
SEE AGENDA FOR DETAILED INFO

Today’s Review Presentations:
- Technology Investment Council
- Medical Marijuana Act Oversight Committee

Zoom Meeting Registration Required for Public Comment on a presentation.
Register via Zoom by using registration link on posted agenda, scan QR Code with cell phone camera, or use https://bit.ly/JLOSCMarch1

Join Zoom webinar to offer public comment.
During the public comment agenda item, staff will call on members of the public in the order of registration.
Per JLOSC Rule 6, public comments must be on the subject at hand.
Joint Legislative Oversight and Sunset Committee
Virtual Meeting

Public Viewing Access via General Assembly Live Stream
Public Registration Link for Public Comment

Tuesday, March 1, 2022
12:00 p.m.

Agenda

1. Welcome
2. Approve Minutes
3. Presentation Meeting: Technology Investment Council
4. Public Comment: Technology Investment Council
5. Staff Findings and Recommendations: Technology Investment Council
6. Presentation Meeting: Medical Marijuana Act Oversight Committee
7. Public Comment: Medical Marijuana Act Oversight Committee
8. Staff Findings and Recommendations: Medical Marijuana Act Oversight Committee
9. Adjournment

Note: The Committee’s Chair will recognize members of the public to supply comments after an entity’s presentation. zoom meeting registration is required. Per JLOSC Rule 6, public comments must be on the subject at hand and are limited to 2 minutes for a Delaware citizen, a group spokesperson is limited to 3 minutes. Zoom registration is not required to simply watch the meeting’s live stream.

Written public comments can be submitted to Sunset@Delaware.gov or by using the Committee’s public comment form. Staff and Staff Reports about these reviews are available on the Committee’s website. Contact JLOSC staff with any questions.

Zoom Registration:
https://bit.ly/JLOSCMarch1

See posted agenda for full details.
Representative Griffith motioned to amend recommendation 2 for the Pedestrian Council, adding language to the statutory revisions to create a body dedicated to reviewing pedestrian fatalities and making recommendations to prevent future deaths, and Vice-Chair Gay seconded the motion. The motion carried 7-0-1, with Senators Gay, Hansen, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, and Yearick voting in favor, none opposed, with Representative Spiegelman not voting. Senators McBride and Pettyjohn were not present for the vote.

Senator Richardson motioned to adopt recommendation 2 as amended for the Pedestrian Council, and Vice-Chair Gay seconded the motion. The motion carried 8-0, with Senators Gay, Hansen, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in favor, none opposed. Senators McBride and Pettyjohn were not present for the vote.

Representatives Dorsey Walker, Griffith, Johnson, Spiegelman and Yearick voting in favor, none opposed. Senators McBride and Pettyjohn were not present for the vote.

Representative Yearick motioned to adopt recommendation 3 for the Pedestrian Council, and Representative Johnson seconded the motion. The motion carried 8-0, with Senators Gay, Hansen, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in favor, none opposed. Senators McBride and Pettyjohn were absent for the vote.

The meeting adjourned at 1:27 p.m.

Respectfully prepared by:
Elliott Gray, Legislative Fellow, Joint Legislative Oversight and Sunset Committee.

Access to the complete video recording of this proceeding is available here.
Public Comment: Technology Investment Council

Registration Required
See posted agenda for full details.

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Joint Legislative Oversight & Sunset Committee

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6 total staff findings, highlights include:

- Council’s statute restructured in 2019.
- Technology Investment Council is engaged and involved in topics concerning Delaware government’s information technology infrastructure, effectively performing their statutory duties as an advisory body.
- The goals and objectives of the Technology Investment Council are comparable to similar public bodies in other states.
- Membership includes representation from each branch of Delaware’s government serving by virtue of position.
- Minor issues with FOIA compliance.
- Changes to the current governing statute that would further streamline operations and prevent redundancies.
Staff Report
Staff Recommendations

- Continue Technology Investment Council
- Update its duties and responsibilities.
- Release from review.

Recommendation #1, Option 1 – Continue the Technology Investment Council
After review and analysis, JLOSC staff recommends option 1, continue the Technology
Investment Council, subject to any further recommendations that JLOSC adopts.

Continue or Terminate (standard JLOSC recommendation).
Option 1: The Technology Investment Council shall continue, subject to any further
recommendations that JLOSC adopts.
- OR -
Option 2: The Technology Investment Council is terminated, and the Committee will sponsor
legislation to implement this recommendation.

Recommendation #2 – Statute Revisions
JLOSC should consider sponsoring a bill to apply technical corrections to the governing
statute of the Technology Investment Council, Chapter 90C, Title 29, and using this review
as a guide, update its duties and responsibilities.

JLOSC and staff from the Department of Technology and Information will work together to
develop statutory revisions. JLOSC staff will engage stakeholders as necessary.

Recommendation #3 – Release from Review.
Release the Technology Investment Council from review upon enactment of legislation
applying technical corrections and statute revisions listed under Recommendations 2.
Public Comment:
Medical Marijuana Act Oversight Committee
Registration Required
See posted agenda for full details.

Scan QR Code or enter https://bit.ly/JLOSCMarch1 and Register via Zoom

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14 total staff findings, highlights include:

• 6 years of existence, only 2 recommendations to the Office of Medical Marijuana for the medical marijuana program.
• The Oversight Committee formed and held its first meeting after the medical marijuana program was implemented.
• Difficulty finding agenda topics, never recommended legislation for the medical marijuana program.
• Discussed active legislation but never took an official position.
• Did not perform statutory duty to make recommendations to the Governor or General Assembly.
• Declining meeting discussion and attendance from Oversight Committee members.
• The average attendance rate dropped to 52% during the 2019-2021 meeting years.
• A quorum of members did not attend meetings held in 2018, 2020, or 2021.
• Did not meet its statutory obligation to hold 2 meetings in 2015 and 2018.
• Not involved, has not made decisions on medical marijuana program components such as petitions for added debilitating medical conditions or request for proposals (RFP) for added compassion centers.
• Rarely able to act on received public comment, majority of comments received outside of statutory authority or on areas that cannot have action without legislation.
• Decline in public comments received and declining attendance from the public.
• Mixed feedback (largely outside of the scope of review) received from public outreach survey.
Recommendation #1, Option 2 – Sunset the Medical Marijuana Act Oversight Committee

Review and analysis by JLOSC staff concludes the Office of Medical Marijuana oversees a functioning medical marijuana program without support from the Medical Marijuana Act Oversight Committee. Since October 27, 2015, the Medical Marijuana Act Oversight Committee has only made 2 recommendations to the Office of Medical Marijuana relating to the medical marijuana program and has not made recommendations to the Governor or General Assembly. Without additional legislative action or a strategic plan, the Medical Marijuana Act Oversight Committee is not meeting a public need.

JLOSC staff recommends Option 2: Sunset the Medical Marijuana Act Oversight Committee with JLOSC sponsoring legislation to implement this recommendation.

Continue or Terminate (standard JLOSC recommendation):
Option 1: The Medical Marijuana Act Oversight Committee shall continue, subject to any further recommendations that JLOSC adopts.
  - OR -
Option 2: The Medical Marijuana Act Oversight Committee is terminated, and JLOSC will sponsor legislation to implement this recommendation.

Recommendation #2 – Release from Review.
Release the Medical Marijuana Act Oversight Committee from review upon enactment of sunset legislation.

Staff Report
Staff Recommendations

- Sunset the Medical Marijuana Act Oversight Committee.

- Office of Medical Marijuana oversees a functioning medical marijuana program without support from the Medical Marijuana Act Oversight Committee.

- In 6 years, the Oversight Committee only made 2 recommendations relating to the medical marijuana program and has not made recommendations to the Governor or General Assembly.

- Without additional legislative action in areas outside the scope of this review or a strategic plan, the Oversight Committee is not meeting a public need.