

Joint Legislative Oversight & Sunset Committee Committee Members' Orientation Meeting Starting at 11:00 a.m.





Stay Connected

Mark Brainard Jr. and Amanda McAtee Division of Research, analysts for JLOSC Twitter: @DEDivResearch

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Web: legis.delaware.gov/Committee/Sunset

Phone: (302) 744-4114

Written public comments accepted via email or public comment form on Committee's website.

Join our mailing list: Send a blank email with the subject "Join Mailing List" to Sunset@Delaware.gov.







Sen. Kyra L. Hoffner, Chair Sen. Kyle Evans Gay Sen. Russell Huxtable Sen. Brian Pettyjohn Sen. Bryant L. Richardson



Rep. Sherry Dorsey Walker, Vice Chair Rep. Kendra Johnson Rep. Stoll Parker Selby Rep. Richard G. Collins Rep. Jeff N. Spiegelman

STATE OF DELAWARE JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Joint Legislative Oversight and Sunset Committee Hybrid Meeting JFC Hearing Room and General Assembly <u>Live Stream</u> Thursday, January 26, 2023 11:00 a.m.

Agenda

1. Welcome

2. Approve Committee Rules

3. Approve Minutes

4. Presentation on Committee Process

5. Updates from Committee Analysts and Committee Attorney

6. Discussion of 2023 Meeting Dates

7. Discussion of 2024 entities for JLOSC Review

8. Adjournment

Legislative Council/Division of Research • Legislative Hall • 411 Legislative Avenue • Dover, Delaware 19901 Joint Legislative Oversight and Sunset Committee Analysts: Mark Brainard Jr. & Amanda McAtee Phone: 302-744-4114 • Email: Sunset@Delaware.gov • Website: www.legis.delaware.gov



Joint Legislative Oversight & Sunset Committee

Committee Members' Orientation

152nd General Assembly 1st Session

RULE 1. A quorum of the Joint Legislative Oversight and Sunset Committee ("Committee") is 6 members.

RULE 2. A quorum of the Committee must be present in order to:

- (a) Make a motion.
- (b) Conduct sessions to draft the Committee's Final Report.
- (c) Conduct sessions to draft bills.
- (d) Enter an executive session.
- (e) Amend the Committee's Rules.

RULE 3. A motion is carried by an affirmative vote of the majority of the entire Committee, except that an affirmative vote by 7 members is required to do each of the following:

- (a) Adopt a recommendation.
- (b) Approve the Committee's Final Report.
- (c) Terminate an agency.
- (d) Rescind a vote to terminate an agency.

RULE 4. A quorum of the Committee is not necessary to open and conduct public hearings in which an entity under review makes a presentation.

RULE 5. The chair presides over each Committee meeting. The vice chair presides in the absence of the chair. The chair may designate a temporary chair.

RULE 6. In the interests of order and decorum, each question or comment must be directed to and acknowledged by the chair.

RULE 7. Following presentation by an entity under review at a public hearing, the chair shall acknowledge questions or comments in the following order:

- (a) Members of the Committee.
- (b) Members of the General Assembly.
- (c) Other elected or appointed officials.
- (d) Individuals representing the entity under review.

(e) An individual ("witness"), including a witness representing an organization, who wishes to make public comment. The witness may speak only to the subject at hand and is limited to 2 minutes.

RULE 8. Question or comments made during a meeting relating to Committee recommendations, legislation relating to Committee recommendations, or the completion of the Committee's Final Report, are limited to those from Committee members. Committee staff, however, may comment at the request of or acknowledgment of the chair or vice chair. Comments from other sources are subject to the approval of the chair and, in the absence of the chair, the vice chair or the designated temporary chair.

RULE 9. The Committee's schedule of meetings must be made publically available on the General Assembly's website and distributed to at least all of the following:

(a) Members of the Committee.

(b) Members of the General Assembly.

(c) Governor and Lieutenant Governor.

(d) As appropriate, elected or appointed officials.

(e) Entity under review.

(f) Individuals requesting to be notified of meetings.

RULE 10. Each Committee meeting and policy must conform to the applicable provisions of Delaware's Freedom of Information Act.

RULE 11. The Committee shall post on the General Assembly's website or the State of Delaware Public Meeting Calendar website at least 7 calendar days prior to a Committee meeting public notice with the date, time, place, and agenda for each meeting. If the agenda is not available at the time of posting notice, the agenda must be added to the notice at least 6 hours in advance of the meeting. The notice must contain the agenda as it is known at the time of the posting; however, the agenda is subject to change upon affirmative vote of the majority of the Committee.

RULE 12. Minutes of a Committee meeting must include all of the following:

(a) A list of each Committee member who is present.

(b) A record, by each Committee member, of each vote taken and each action agreed upon.

RULE 13. The Division of Research is the custodian of the records for the Committee.

RULE 14. The Committee shall assign bill drafting necessary to implement its recommendations to a Legislative Council attorney or the Deputy Attorney General assigned to the entity under review. If a Deputy Attorney General drafts the bill, a Legislative Council attorney must review the draft before it is presented to the Committee. The Committee may temporarily assign bill drafting duties necessary to implement its recommendations to other legislative attorneys if a Legislative Council attorney is not available.

RULE 15. The latest edition of Mason's Manual of Legislative Procedures governs the Committee in circumstances which may arise that are not covered by statute or by the Committee's Rules.

RULE 16. Committee Rules may be altered, amended, repealed, or added to at a Committee meeting if a notice of 7 calendar days is given. The notice must be provided under Rule 11 and describe, at least in general terms, each alteration, amendment, repeal, or addition that is proposed.

RULE 17. Committee Rules may be suspended upon a motion approved by a quorum of the Committee.

RULE 18. The Committee may hold its meetings in-person, as a virtual meeting, or as a hybrid of both in-person and virtual meeting.

(a) As used in this rule:

(1) "Anchor location" means the physical location within this State that is open to the public and at which 1 or more members of the Committee attend a virtual meeting.

(2) "Remote participation" means taking part in a Committee meeting as though physically present at the meeting.

(3) "Virtual meeting" means a meeting that meets the requirements under subsection (b) of this rule. "Virtual meeting" includes a meeting that is a hybrid in which a least 1 Committee member participates at the anchor location and at least 1 Committee member participates under subsection (b) of this rule.

(b) A virtual meeting is a meeting at which a member or witness participates through the use of any means of communication by which all of the following occur:

(1) The identity of a member or a witness is verified, and the actions of a member are authenticated, in a manner satisfactory to the chair.

(2) During the meeting, each participating Committee member or witness can simultaneously hear or read the comments of each member or witness that is recognized by the chair.

(3) A document that a Committee member or a witness uses during the meeting and that the chair accepts is immediately transmitted to each member or witness participating in the meeting.

(4) Except as provided under subsection (d) of this rule, the public is able to do the following:

a. Contemporaneously access materials presented at the meeting.

b. Monitor the proceedings.

c. Provide public comment, if the Committee is required to accept public comment or provides an opportunity for public comment.

d. Review a recording of the meeting within a reasonable time after the meeting concludes.

RULE 18 (cont.) (c)(1) Paragraph (b)(4) of this rule does not apply if the Committee has voted to close the meeting to the public as otherwise permitted by other law of this State.

(2) A technological failure that prevents, or a technological limitation that limits, public access otherwise required under paragraph (b)(4) of this rule does not invalidate a virtual meeting or an action taken at a virtual meeting.

(d) Each action taken during a virtual meeting has the same legal effect as if the Committee members were physically present at the same physical location.

(e) For the purposes of determining quorum for a Committee meeting, a Committee member participating in a virtual meeting at a location other than an anchor location is considered present as if the member were physically present at the meeting.

(f) For the purposes of voting during a Committee meeting, a Committee member participating in a virtual meeting at a location other than an anchor location is able to vote as if the member were physically present at the meeting.

(g) The chair shall cause a Committee member or witness participating in a virtual meeting at a location other than an anchor location to be muted on entry into the meeting.

(h)(1) To be recognized to speak, a Committee member or witness participating in a virtual meeting at a location other than an anchor location shall use a technological function that enables the member or witness to be recognized. If a technological failure occurs, the chair may adopt an alternative method for the member or witness to be recognized.

(2) The chair shall cause the member or witness recognized to speak to be unmuted.

(3) On being recognized to speak, the recognized member or witness shall state their name each time before addressing the virtual meeting.

(i) Attendance at a virtual meeting must be taken by roll call.

(j) The chair shall interpret and apply all rules of the Committee that presume or require the physical presence or act of members or witnesses in such a manner to accomplish the same purposes for which the rules were adopted.

(k) Section 10006A of Title 29 of the Delaware Code does not apply to the Committee. The Committee's ability to hold a virtual meeting is governed by this Rule 18.

APPROVE MINUTES

- Last meeting June 6, 2022. ٠
- All members vote on approval of meeting minutes.
 - Meeting attendance not required to approve minutes.
 - Minutes simply record members present and votes taken.
 - Minutes not a verbatim record; full recording of meeting is available on website.

Sen. Kyle Evans Gay, Vice-Chair Sen. Stephanie L. Hansen Sen. Brian G. Pettyjohn Sen. Marie Pinkney



Rep. Sherry Dorsey Walker, Chair Rep. Krista Griffith Rep. Kendra Johnson Rep. Jeff N. Spiegelman Rep. Lyndon D. Yearick

Sen. Bryant L. Richardson

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STATE OF DELAWARE JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE Meeting Minutes (draft) - June 6, 2022

Chair Dorsey Walker called the meeting to order at 1:32 p.m. Committee members present included Vice-Chair Gay; Senators Hansen, Pettyjohn, Pinkney, and Richardson; and Representatives Griffith, Johnson, Spiegelman, and Yearick. Staff present included Mark Brainard, Jr. and Amanda McAtee, Joint Legislative Oversight and Sunset Committee ("JLOSC") Analysts; and Holly Vaughn Wagner, Legislative Attorney for JLOSC. A quorum was met.

Chair Dorsey Walker welcomed everyone to the meeting and called for Committee introductions. Chair Dorsey Walker moved to item 2 of the agenda, the approval of the May 26, 2022 meeting minutes. Senator Richardson motioned to approve the May 26, 2022 meeting minutes as written, and Representative Spiegelman seconded the motion. The motion carried 9-0 with Senators Gay, Hansen, Pinkney, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in favor, none opposed. Senator Pettyjohn was not present for the vote.

Chair Dorsey Walker moved to item 3 of the agenda, discussion of JLOSC draft legislation. Holly Vaughn Wagner presented a draft bill for consideration, relating to the Committee's 2020-2021 review of the Delaware Interscholastic Athletic Association ("DIAA"). After the presentation, Representative Yearick motioned to approve the draft legislation as written, and Representative Johnson seconded the motion. The motion carried 10-0 with Senators Gay, Hansen, Pettyjohn, Pinkney, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in favor, none opposed.

Mark Brainard presented a drafting update on the House Concurrent Resolution for the Family Law Commission. After discussion, Representative Spiegelman motioned to have staff submit the draft resolution for sponsorship to each Committee member once completed, and Senator Gay seconded the motion. The motion carried 10-0 with Senators Gay, Hansen, Pettyjohn, Pinkney, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in favor, none opposed.

27 Chair Dorsey Walker moved to item 4 of the agenda, the presentation of the Health Resources Board 28 Update. Analysts Amanda McAtee and Mark Brainard Jr. provided an update and presented a sixth recommendation for Committee consideration. After the presentation, Representative Spiegelman, and 30 Yearick asked questions and JLOSC Analysts Mark Brainard Jr. and Amanda McAtee provided 31 clarification.

33 Representative Spiegelman motioned to approve Recommendation #6 for the Health Resources Board, and Senator Richardson seconded the motion. The motion carried 10-0 with Senators Gay, Hansen, Pettyiohn, 34 35 Pinkney, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick 36 voting in favor, none opposed. 37

The meeting adjourned at 2:03 p.m.

40 Respectfully prepared by: Elliot Gray, Legislative Fellow for JLOSC

Setting the 2023 Schedule

February - April

- > 2-3 meetings for legislation approval, prior review updates, and 2024 entity selection. (75-90 minutes)
- > 3-4 meetings for 2023 reviews. (90 minutes)
 - Public comment accepted within scope of review.
- > April: 1 additional carryover meeting, if needed for additional recommendations.

May - June

- 1-2 meetings for legislation approval.
- 1 meeting for legislation & 2022 Final Report approval.

Dates Unavailable

- February 7-13.
- February 17.
- March 3.
- March 28-30.



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February 20: Presidents' Day April 9: Easter Sunday

May 29: Memorial Day June 19: Juneteenth

Holidavs

January 16: Martin Luther King, Jr. Day



Easter Break Bond Markup



	Jelawale D	conomic and	Financial Adviso
		Council (D	EFAC)
Mar	h 20: DEFA	С	
May	15: DEFAC		
	e 16: DEFAC		

Delaware General Assembly 2023 Legislative Calendar

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JFC -	GIA	Drafting

PRESENTATION ON COMMITTEE PROCESS

MARK BRAINARD JR. AND AMANDA MCATEE JLOSC ANALYSTS

- JLOSC Background.
 - Public Information.
 - History.
 - Purpose.
- Full and Focused Review Processes.
- Types of Reports.
- Types of Recommendations.
- Legislation.
- Annual FOIA Reminder.
- A Look at 2023.
- 2024 Review Selection Discussion.



PUBLIC INFORMATION: WEBSITE



COMMITTEE'S WEBSITE

https://legis.delaware.gov/Committee/Sunset

New website features include:

- Mailing List Communications.
- Staff Presentations.
- Public comment form provides ability to submit anonymous comments.

COMMITTEE'S EMAIL

Sunset@Delaware.gov

- For all comments and inquiries.
- Joint Mailing List: Send a blank email with the subject "Join Mailing List."

Delaware BILLS & RESOLUTIONS MEETINGS & ARCHIVES	General Assembly Enter Bill Number, Legislator, or DELAWARE LAWS COMMITTEES SENATE HOUSE OFFICES & SERVICES	
 < Joint Finance < Capital Improvement < Legislative Oversight an Sunset Committee < Mailing List Communic < Meeting Minutes 2017 < Final Reports < Staff Presentations < 2017 Reviews < 2018 Reviews < 2019 Reviews < 2020 Reviews 	Interstandser Committee, as of January 2017, is the Joint Legislative Oversignt and Solid (JLOSC). JLOSC performs periodic legislative review of agencies, commissions or boards. Delaware General Assembly Enter Bill Number, Legislative review of agencies, commissions or boards. BILLS & RESOLUTIONS Delaware Laws committees BILLS & RESOLUTIONS Delaware Laws committees events & Facilities Session Info What's Happening ALLEVENTS The Senate Session, House Session, and Joint Finance and Bond Hearing recordings are viewable from the Live Stream Page. 26 committee & rask Force Meetings	is
 <u>2021 Orientation</u> <u>2022 Reviews</u> 2023 Paview 	6 COMMITTEE & TASK FORCE MEETINGS	EVENTS



MEETING ANNOUNCEMENTS

General Assembly website: https://legis.delaware.gov

Public Meeting Calendar: https://publicmeetings.delaware.gov

Click movie camera icon for live stream.

PUBLIC INFORMATION: JLOSC MEMBERS 152ND GENERAL ASSEMBLY, 1ST SESSION





Joint Legislative Oversight & Sunset Committee

10-member, bipartisan, joint committee.
1 of 4 joint committees of the General Assembly.
Odd years chaired by Senate.
Even years chaired by House.



Representative Sherry Dorsey Walker Vice Chair Representative Richard G. Collins Representative Kendra Johnson Representative Stell Parker Selby Representative Jeff N. Spiegelman

Public comment is always accepted via email Sunset@Delaware.gov or public comment form on Committee's website.

PUBLIC INFORMATION: JLOSC STAFF SUPPORT

STAFF SERVICES



- Provides JLOSC members applicable research analysis.
- Public liaison, maintains information on JLOSC website.
- Publishes meeting announcements, agendas, and minutes.
- Main point of contact for entities during reviews.
- Report drafting and publishing for JLOSC.
- Conducts and presents research findings and recommendations.
- Staff are employees of the Division of Research.
 - Nonpartisan office serving the General Assembly.
 - The Division is a confidential reference bureau that provides a variety of legislative support, building, and information services such research, printing, report writing, legislative drafting, meeting support, and other staffing services.

Mark Brainard Jr. & Amanda McAtee JLOSC Analysts

Holly Vaughn Wagner Division of Research Deputy Director & Legislative Attorney

Carrie Wanstall Administrative Specialist

Shubreet Kaur Nicole Neri Legislative Fellow (January – June, changes each year)



STAFF SUPPORT

HISTORY

- Promoted in the 1970s in effort to reform government.
- Delaware's Joint Sunset Committee est. in 1980.
 - Issued first report in 1981.
 - Main function to provide legislative oversight using the review mechanism of the Joint Committee.
 - Most common product of review is **improvement** not termination.
- January 2017 name change: Delaware's Joint Sunset Committee became the Joint Legislative Oversight and Sunset Committee (JLOSC) to reflect the Committee's common function.
- Similar programs exist in other states, most focus on performance evaluation, policy analysis, and government accountability.
 - JLOSC Analysts are members of the National Legislative Program Evaluation Society (NLPES) with similar staff from around the country.
 - 1 of 9 professional associations under the National Conference of State Legislatures (NCSL).



PURPOSE

- Performs periodic legislative review of agencies, commissions, boards, and other public bodies to determine if there is a genuine public need for the entity and, if so, if the entity is effectively performing to meet that need.
- JLOSC's Declaration of Policy:

The overall goal is to use the review process to strengthen and support entities which are (1) meeting a recognized State need, and (2) accountable and responsible to public interests.

- Two types of JLOSC reviews:
 - Full Review.
 - Focused Review.



FULL REVIEW PROCESS (REQUIRED ANNUALLY)



SELF REPORT

JLOSC staff provides template and instructions to selected entities.

Contains questions to gain a basic pool of background info and preliminary insight on entity performance.

Entity completes and returns to JLOSC staff within 10 weeks.

JLOSC staff distributes to JLOSC members and uploads a copy to JLOSC website.



RESEARCH & **STAFF REPORT**

JLOSC Analysts conduct research and performance evaluation of entity using national standards.

Compile findings and recommendations into a Staff Report.

Recommendations included are not final unless adopted by JLOSC.

Staff Report outlines the objectives, scope, & methodology used.

Entity reviews Staff Report and submits written comments to be included.

JLOSC Analysts finalize and distribute to JLOSC members and upload to JLOSC website prior to Presentation Meeting.

PRESENTATION MEETING ADDITIONAL MEETINGS

Entity's "time to shine."

Presents for 15-20 minutes.

Entity under review has the burden of proving a public need exists and this need is being met.

JLOSC members ask questions.

Public comment accepted.

JLOSC Analysts present highlights from the Staff Report.

JLOSC discusses and votes on recommendations.

Affirmative vote of 7 members required to adopt a recommendation.

if necessary

Additional recommendation meetings needed if necessary.

JLOSC can holdover entities and request progress reports.

Meetings scheduled as needed for entities held over by JLOSC.

FOCUSED REVIEW PROCESS (OPTIONAL)



RESEARCH

Proactive or reactive review of specific issue, rule, regulation, statute, policy, or program component. Not a review of the entire entity.

Using national standards, JLOSC staff plan and conduct research within scope determined by the Committee.

Research includes public outreach, interviews, and other necessary fieldwork.

Public outreach could include public input forums or surveys.



STAFF REPORT

JLOSC Analysts compile their findings and recommendations into a Staff Report.

Recommendations included are <u>not</u> final until adopted by JLOSC.

Staff Report outlines objectives, scope, & methodology used during research.

JLOSC Analysts finalize and distribute to JLOSC members, any affected entities, and upload to JLOSC website prior to Public Meeting.





PUBLIC MEETING

JLOSC Analysts present highlights from their Staff Report.

JLOSC discusses, votes on recommendations, and determines next steps, including the need for an additional meeting with the entity.

Affirmative vote of 7 members required to adopt a recommendation.

ADDITIONAL MEETINGS if necessary

Additional meetings for followup or recommendation discussions.

TYPES OF REPORTS

- Self Report: completed by entity under review.
 - Full review process only.
- **Staff Report:** completed by JLOSC Analysts. Includes findings and recommendations; outlines objectives, scope, & methodology used during research.
 - Full and focused review processes.
- Final Report: completed by JLOSC Analysts and approved by JLOSC members.
 - Contains the work of JLOSC completed that year, includes entities selected for review, adopted recommendations, and sponsored legislation.
 - Published by June 30th.



TYPES OF RECOMMENDATIONS

The Committee is statutorily authorized to recommend and adopt 1 or more of the following:

- Continuation of the entity as is.
- > **Termination** of the entity.
- > **Termination of any program** within the entity.
- Consolidation, merger, or transfer of the entity or the entity's functions to another entity.
- Termination of the entity unless certain conditions are met or modifications are made, by legislation or otherwise within a specified time period.
- Budget appropriation limits for the entity.
- Legislation which the Committee considers necessary to carry out its decision to continue or terminate the entity.

JLOSC Analysts make recommendations for JLOSC consideration based on research and analysis. JLOSC members are free to modify or create their own recommendations.

Affirmative vote of 7 JLOSC members is required to adopt any recommendation, terminate an entity or rescind a vote to terminate an entity.



LEGISLATION

PREPARING FOR JLOSC



If JLOSC adopts a recommendation requiring legislation, the JLOSC attorney and analysts work with the entity to draft a bill for consideration.

JLOSC attorney ensures the draft bill is legally sound, meets the JLOSC recommendation, and conforms with the Delaware Legislative Drafting Manual standards. Process almost always takes more time than expected or desired.

JLOSC analysts and attorney work closely with entity during the drafting process.

Completed drafts presented to JLOSC for review.

Drafts are released into legislative process once approved by the Joint Committee.



LEGISLATION: QUICK NOTE ON THE TERM "SUNSET"

Sunset Provisions/Laws

- Call for the automatic termination of a government program, agency, or law on a specified date, unless the legislature takes action to renew it.
 - JLOSC does not get involved in this process unless specifically requested by legislation.
 - Example to the **right** adds a sunset provision.
 - Example **below** removes a sunset provision.

			\$3.2 	1		
	SPONSOR: Rep. Mitchell & Sen. Sokola Reps. Baunbach, Brady, Bragg King, Hefferman, Mathews, Osienski, Sens. S. McBride, Walsh					
		AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE ENTERING INTERSECTION.	RELATING TO BICYCLE APPROACHING OR			
			SYNOPSI	S		
Th		removes the October 5, 2	021 sunset provision fro	_		
Th	is ac	(c) {Expire >ctober 5, 2021} A bicycle operator approa	021 sunset provision fro	_		
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Under Section 2 of this Act, the Act sunsets on December 31, 2020.

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

DELAWARE STATE SENATE

148th GENERAL ASSEMBLY SENATE BILL NO. 226 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND

WHEREAS, there is currently a critical lack of psychiatric services in Sussex County and a critical need for suc

Section 1. Amend § 9304, Title 16 of the Delaware Code by making deletions as shown by strike through and

WHEREAS, it is the intent of the General Assembly to facilitate the provision of additional psychiatric ser

rtzkopf & Kep. Briggs King

14	challenged on appeal or is otherw	subject to legal challenge, shall not be required to obtain	n any additional certificate of
15	public review under this chapter p	or to the construction, development, or other establishme	nt of the psychiatric hospital.
16	Any psychiatric hospital construct	, developed, or established under this subsection shall not	have any license or authority
17	to operate denied, revoked, or re	cted on the grounds that a certificate of public review l	has not been obtained or has
18	otherwise been challenged on app	or is otherwise subject to legal challenge.	
19	Section 2. This Act takes	fect on the date of its enactment into law and is effective u <u>SYNOPSIS</u>	antil December 31, 2020.
	The work of the Behavio statewide. This Act meets this ne for a 90 bed psychiatric hospital in	and Mental Health Task Force indicated a greater ne eliminating the need for additional review by the Delaw orgetown, which previously received a certificate of publ	are Health Resources Board
	Under Section 2 of this Act,	the Act sunsets on December 31, 2020.	Author: Senator Hall-Long
		Page 1 of 1	
	LC : MJC : RAY 4801480132		Apr 08, 2016

Chamber Sunset Committees

- Each chamber has a standing Sunset Committee.
 - Members make up JLOSC.

RESOURCES MANAGEMEN

services, including the need for a psychiatric hospital:

County without further delay

- Chamber Committees operate independently from JLOSC.
- Assigned bills that are not from the JLOSC process.
- JLOSC sponsored legislation is typically assigned to the House or Senate Sunset Committee.
 - Odd years JLOSC sponsored bills start in the Senate.
 - Even years JLOSC sponsored bills start in the House.

WHAT JLOSC MEMBERS SHOULD KNOW ABOUT FOIA

FOIA's Purpose:

- Public business be performed in an open and public manner.
- Give citizens easy access to public records.
 - Ensure citizens have an opportunity to observe the performance of public officials and monitor the officials' decisions in formulating and executing public policy.
- Staff Reports for full reviews include entity's compliance with FOIA.

Freedom of Information Act



YOU'VE RECEIVED A FOIA REQUEST; WHO CAN HELP?

- Your Committee Staff Amanda, Mark, or Holly
 - Already know how to respond or will quickly find out.
 - Work on JLOSC matters full-time during session and break; in best position to quickly understand whether a communication or document is subject to disclosure.
- Your FOIA Coordinator Mark Cutrona, Director, Division of Research
 - Designated point of contact for all FOIA requests related to General Assembly and its committees.
 - Statutorily-required to keep tracking documents; coordinates the General Assembly's responses





Stay Connected

Twitter: @DEDivResearch

Web: https://legis.delaware.gov/Committee/Sunset



Email: Sunset@delaware.gov

2023 Reviews

[Child Care] Provider Advisory Board. Delaware State Arts Council. Tourism Advisory Board. State Fire Prevention Commission. Delaware Byway Advisory Board. Delaware Guardianship Commission.

JLOSC staff distributes Staff Reports prior to each entity's presentation meeting. Once released, the public can access Staff Reports from the Committee's website.

All entity submitted Self Reports are online under the 2023 Review section of the JLOSC website.



https://legis.delaware.gov/Committee/Sunset/2023_JLOSCReviews

Holdover Reviews from Previous Years

Delaware Interscholastic Athletic Association (DIAA): Written update due, review complete. Health Resources Board (HRB): Received status updates, legislation planned for 2023, review complete.



Looking ahead: 2023 Legislation



• JLOSC statute updates.

• Technical corrections, clean up focused review section, update timelines, etc.

Adult Protective Services:

- Technical corrections.
- Substantive changes (creating vulnerable adult populations commission).

• DE Health Resources Board (HRB):

- Technical corrections.
- Substantive changes (changing to advisory board, utilization reporting, board comp, etc.)

Pedestrian Council:

• Transferring from Executive Order to Delaware Code.

Council on Libraires:

- Technical corrections.
- Substantive changes (board comp, updating Public Library Technology Assistance Act)

• Governor's Commission on Community and Volunteer Service:

- Technical corrections.
- Substantive changes (board comp, quorum requirements, adding federal requirements)

• 2023 Reviews:

- Legislation as needed through adopted recommendations.
- Depending on complexity, drafts may be presented in 2024.

2024 REVIEW SELECTION DISCUSSION



- 1. **Board of Home Inspectors**: Professional standards and protects the public from unsafe practices.
- 2. **Childhood Lead Poisoning Advisory Council**: Advise on the the Childhood Lead Poisoning Prevention Act.
- 3. **Community Advisory Board**: Reviewing, advocating, and advising on policies in the best interest of juveniles.
- 4. **Controlled Substance Advisory Committee**: Regulation and monitoring of controlled substances to protect public health.
- 5. **Delaware Cemetery Board**: Registers cemeteries in Delaware and administers the Distressed Cemetery Fund.
- 6. **Homeland Security Advisory Council**: Provide advice and assistance to Safety and Homeland Security/Homeland Security Advisor.
- 7. Nutrient Management Commission: Direct the Nutrient Management Program and develop regulations.
- 8. Public Integrity Commission: Oversees Delaware's ethics laws..
- 9. Sex Offender Management Board: Develops standards and guidelines for sex offenders within the criminal justice system.
- 10. Workers' Compensation Oversight Panel: Oversee the Delaware Workers' Compensation Health Care Payment System.

Full Review Selection:

- JLOSC Analysts prepare list for JLOSC consideration.
- Selection is **required** under statute.
- Staff recommends selection of 5-6 entities.
- JLOSC selects entities for full review with 7 affirmative votes.
- Included on February agendas.

Focused Review Selection:

- JLOSC selects topics for focused review with 7 affirmative votes.
- Selection is **optional**.
- JLOSC can select topics for focused review at any time.



SELECTION PROCESS