



Division of Legislative Services

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Orientation Part II
Presentation on Committee Process and Legislative Oversight
January 30, 2025

Legislative Oversight Nationally



State Oversight Process:

- Every state legislature has an oversight process.
 - Delaware: Joint Legislative Oversight and Sunset Committee (“JLOSC” or “sunset”).

National Resources:

- National Legislative Program Evaluation Society (NLPES).
 - Organization for professionals dedicated to program evaluation.
 - 1 of 9 professional staff associations under the National Conference of State Legislatures (NCSL).
 - Both Joint Legislative Oversight and Sunset Committee analysts are professional members.
- Levin Center for Oversight and Democracy at Wayne State University Law School.
 - Support and promotion for bipartisan, fact-based legislative oversight (federal and state level).

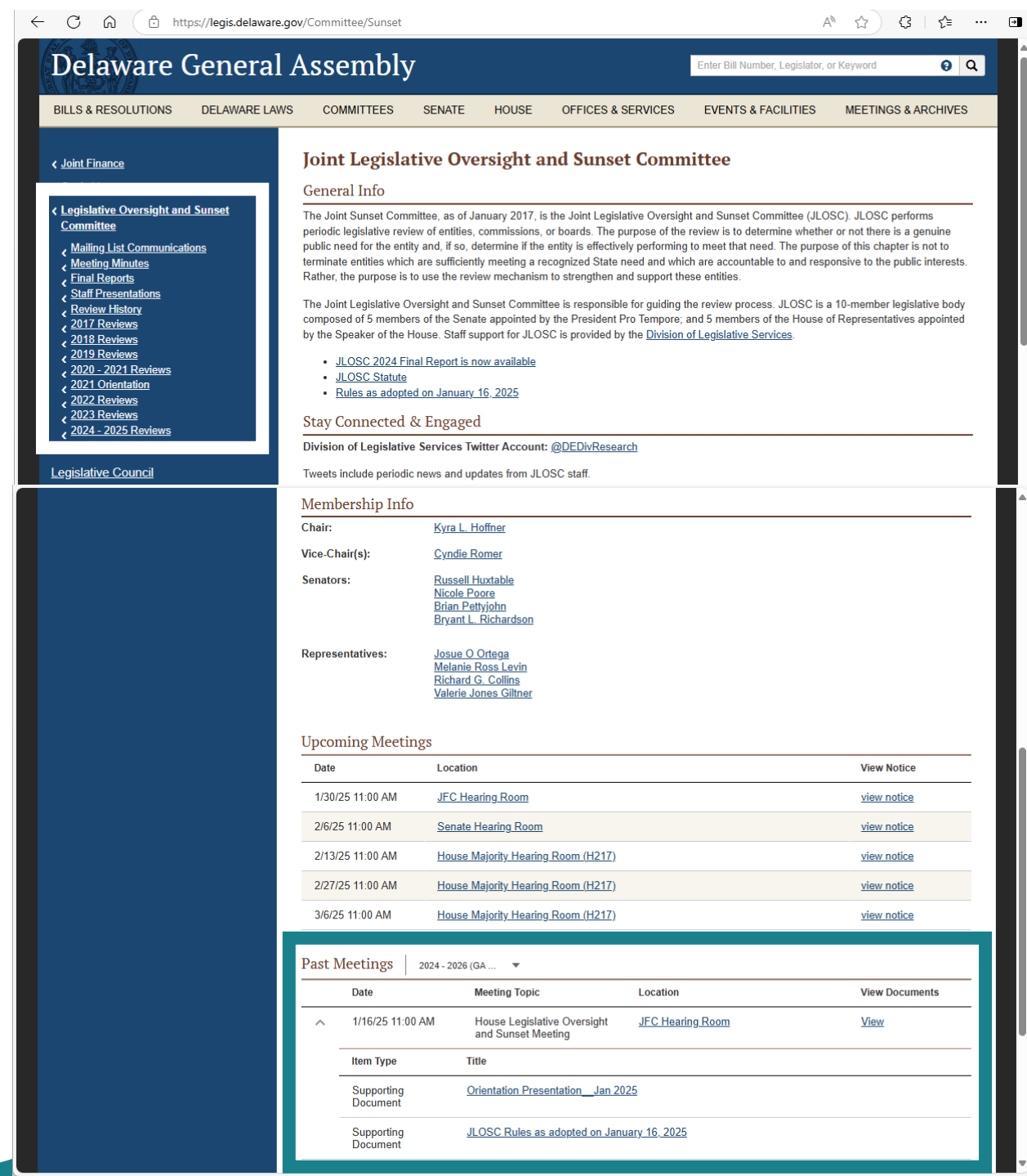
Orientation Part I

January 16th meeting.

- JLOSC Background.
 - Members and Staff Support.
 - History.
 - Purpose.
- Types of Reviews.
- Types of Reports.
- Types of Recommendations.
- Legislation.
- Annual FOIA Reminder.
- JLOSC Review Process Improvements.

Meeting replay available on General Assembly website:
legis.delaware.gov/Committee/Sunset

“Past Meetings” for view link and meeting documents.



The screenshot shows the Delaware General Assembly website. The main heading is "Delaware General Assembly". Below it, there are navigation tabs: "BILLS & RESOLUTIONS", "DELAWARE LAWS", "COMMITTEES", "SENATE", "HOUSE", "OFFICES & SERVICES", "EVENTS & FACILITIES", and "MEETINGS & ARCHIVES". The current page is for the "Joint Legislative Oversight and Sunset Committee".

Joint Legislative Oversight and Sunset Committee

General Info

The Joint Sunset Committee, as of January 2017, is the Joint Legislative Oversight and Sunset Committee (JLOSC). JLOSC performs periodic legislative review of entities, commissions, or boards. The purpose of the review is to determine whether or not there is a genuine public need for the entity and, if so, determine if the entity is effectively performing to meet that need. The purpose of this chapter is not to terminate entities which are sufficiently meeting a recognized State need and which are accountable to and responsive to the public interests. Rather, the purpose is to use the review mechanism to strengthen and support these entities.

The Joint Legislative Oversight and Sunset Committee is responsible for guiding the review process. JLOSC is a 10-member legislative body composed of 5 members of the Senate appointed by the President Pro Tempore; and 5 members of the House of Representatives appointed by the Speaker of the House. Staff support for JLOSC is provided by the [Division of Legislative Services](#).

- [JLOSC 2024 Final Report is now available](#)
- [JLOSC Statute](#)
- [Rules as adopted on January 16, 2025](#)

Stay Connected & Engaged

Division of Legislative Services Twitter Account: [@DEDivResearch](#)

Tweets include periodic news and updates from JLOSC staff.

Membership Info

Chair: [Kyra L. Hoffner](#)

Vice-Chair(s): [Cyndie Romer](#)

Senators: [Russell Huxtable](#), [Nicole Poore](#), [Brian Pettyjohn](#), [Bryant L. Richardson](#)

Representatives: [Josue O Ortega](#), [Melanie Ross Levin](#), [Richard G. Collins](#), [Valerie Jones Giltner](#)

Upcoming Meetings

Date	Location	View Notice
1/30/25 11:00 AM	JFC Hearing Room	view notice
2/6/25 11:00 AM	Senate Hearing Room	view notice
2/13/25 11:00 AM	House Majority Hearing Room (H217)	view notice
2/27/25 11:00 AM	House Majority Hearing Room (H217)	view notice
3/6/25 11:00 AM	House Majority Hearing Room (H217)	view notice

Past Meetings | 2024 - 2026 (GA...)

Date	Meeting Topic	Location	View Documents
1/16/25 11:00 AM	House Legislative Oversight and Sunset Meeting	JFC Hearing Room	View
Item Type	Title		
Supporting Document	Orientation Presentation_Jan 2025		
Supporting Document	JLOSC Rules as adopted on January 16, 2025		

Legislative Oversight Basics



Process of public review and evaluation of an entity (component).



Intended to monitor government performance for efficiency and effectiveness. → Ensures compliance.



Identify successes (what works) and issues (what doesn't work).

Why Legislative Oversight Matters

- Prevents waste of public resources.
- Improves services for all.
- Increases public trust by holding government entities accountable.





What Makes Legislative Oversight Effective?

Effective Basics



Bipartisan Committee:

- Ensures diverse perspectives and promotes collaboration across party lines.
- Enhances the legitimacy and credibility of the oversight process.
- Reduces partisan bias for more balanced decision-making.

Objective Staff:

- Conduct objective research and performance evaluations.
- Involve data collection and analysis to inform decisions.
- Drive improvements in policy and program delivery.
- Access and use of professional resources and standards.

Public Transparency:

- Publishes reports and holds public meetings to ensure accountability.
- Provides citizens with an opportunity to voice concerns.
- Informed discussions help policymakers understand public needs and priorities.

What is Meant by Objective Research and Staff?

Objective Research:

- Independent, fact-based, and balanced examination.
- Nonpartisan; no political bias or policy agenda influencing results.
- Supports informed decisions with impartial information.

Objective Staff:

- Full-time, year-round, nonpartisan professionals serving all legislators impartially, regardless of party.
- Focus on preserving integrity of the legislative process, both in practice and perception.
- Maintain neutrality by refraining from discussing political or personal beliefs in the workplace.
 - Follow policies prohibiting partisan activities.



Why is Objectivity Important in Legislative Oversight?



Long-Term, Sustainable Solutions:

- Focuses on long-term, equitable policies.
- Prioritizes sustainable outcomes over short-term political gains.

Trustworthy and Objective Research:

- Builds trust with policymakers, stakeholders, and the public.
- Provides credible, evidence-based findings.
- Safeguards against misinformation and political manipulation.

Improved Policy and Accountability:

- Supports evidence-based legislation, not political agendas.
- Boosts the legislature's ability to engage with entities on issues.
- Holds entities accountable for their actions.

Promotes Consensus and Inclusivity:

- Bridges political divides and fosters shared understanding.
- Encourages diverse perspectives in policy discussions.

Encourages Critical Thinking and Responsiveness:

- Promotes evidence-based discussions and challenges biases.
- Strengthens responsiveness to constituent needs.
- Provides a balanced, fact-based approach to policymaking.

JLOSC Powers

Assign Staff Entities to Review:

- Inspection and observation of entities.
- Receive objective research and analysis.
- Performance evaluations to highlight strengths, weaknesses, compliance.
- Receive objective report with staff recommendations.

Subpoena Powers:

- Statutory authority to compel a witness's attendance or the production of documents necessary for review.

Committee Hearings:

- Highest administrative officer must be present.
- Gather input from staff and stakeholders.
- Questioning and debate in public forum.
- Informed discussions help with understanding needs and priorities.
- Receive public comment.

Recommendations:

- Evidence-based solutions.
- Recommend legislative action to improve entity.
- Statutory authority to continue, terminate, consolidate, holdover, or limit budget appropriations of entity.

Legislative Action:

- Drafted by committee's attorney with analyst support.
- Staff works closely with entity during drafting process.
- Drafts presented to committee during a public meeting for review prior to release.
 - Public comment accepted.

JLOSC Statutory Duties

To review an entity, the committee must do the following:

- (1) Conduct the review at a public hearing (meeting).
- (2) Consider the staff report and additional information from entity or staff.
- (3) Deliberate and consider recommendations in the staff report.
- (4) Create additional recommendations deemed necessary or appropriate by the Committee.
- (5) Review the implementation of recommendations, if applicable, from a previous JLOSC review of the entity.
- (6) Take testimony from additional persons related to the review upon the request of a committee member and approval of the chair.

Purpose of Review

Declaration of policy:

- Conduct regular legislative reviews of entities to sustain a healthy state economy, maintain effective governance, and uphold public trust.
- Increase accountability by having legislative analysis and review of entity and its activities.
- Ensure entities' activities align with the General Assembly's goals.
- Assess if entities are performing their tasks effectively.

Primary Purpose:

- Evaluate whether there's a real public need for the entity and determine if the entity is correctly performing to meet that need.
 - Continue entities that fulfill a recognized state need and are accountable and responsive to public interests.
 - Support and strengthen entities that meet state needs.



What is an Entity?



Entity is a Blanket Term, Defined by Statute:

- Refers to regulatory, administrative, advisory, executive, or legislative bodies of the State.
 - Includes any board, bureau, commission, department, division, committee, council, association, authority, or organized body created by the General Assembly.

To Review an Entity, One of the Following Must Be Met:

- Has authority in Delaware Code to regulate a business, occupation, or profession.
- Supported fully or partially by public funds.
- Uses or distributes public funds.
- Tasked by a public body to provide advice or recommendations.

Focused Review:

- Specialized assessment of an entity, evaluating specific components like statutes, policies, rules, regulations, or programs related to the entity.

Legislative Oversight Topic Composition

Focused Review:

Evaluating specific components like statutes, policies, rules, regulations, or programs related to the entity.

Proactive

- Anticipating and preventing issues before they arise.
- Current projects include:
 - Office of Defense Services.
 - Delaware Cemetery Board.
 - Public Integrity Commission.

Responsive

- Reviewing issues or situations after they occur.
- Current projects include:
 - Department of Agriculture & Office of Animal Welfare.
 - DNREC - Electric Vehicle Regulations.
 - Lead Poisoning Prevention Program.



Can you think of a topic to review that has already generated issues or an area of prevention?

Reviews 2019 to Current

Terminated 6 Entities (2022-2023):

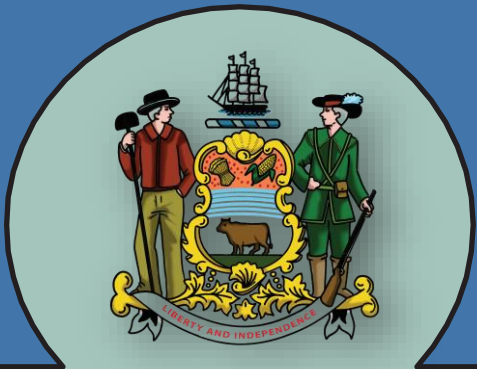
- Completed assigned duties, no longer needed, duplicative efforts.
 - Reviewed total of 13 entities.
 - Terminated 46% of total reviews.

Improved 14 Entities (2019-2023):

- Reviewed total of 23 full reviews.
- 3 entities pending statutory improvement.

Completed 23 Full Reviews and 3 Focused Reviews (2019-2023):

- 4 full reviews and 9 focused reviews pending for 2025 presentations.
 - Assigned for 2024 and 2025.

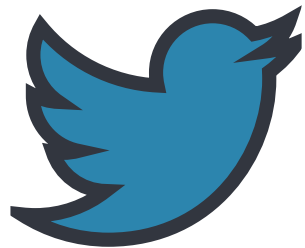


Joint Legislative Oversight & Sunset Committee

Stay Connected



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Written public comments accepted via email or
public comment form on committee website.

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