



SPONSOR: Rep. Collins & Sen. Walsh
Reps. Matthews, Osienski, Parker Selby, K. Williams,
Yearick, Hilovsky, Shupe; Sens. Lawson, Pettyjohn,
Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 434

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND TRANSPARENCY IN PUBLIC HEARINGS.

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

1 Section 1. Amend § 6010, Title 7 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 6010. Rules and regulations; plans.

4 (m) Notwithstanding any law, regulation, or policy to the contrary, all public hearings required by this section
5 must, at minimum, follow the following procedures:

6 (1) Allow the public in-person attendance and opportunity to testify.

7 (2) May allow the public to virtually attend and testify in addition to in-person attendance and testimony.

8 (3) Allow all persons wanting to testify the opportunity to sign up at and during the public hearing to do

9 so.

10 (4) All public hearings must be properly noticed and scheduled for no less than 2 hours of testimony.

11 (5) The time allowed for testimony must not be limited unless in the judgment of the presiding hearing
12 officer the number of persons desiring to testify is significant and necessitates placing a time limit thereon. In no
13 event shall testimony be limited to less than 1 minute per person.

14 Section 2. This act shall be effective immediately and shall be applicable for all hearings held after 30 days from
15 enactment.

SYNOPSIS

This bill requires DNREC to be transparent and citizen friendly in how it conducts public hearings by returning to the pre-COVID in-person public hearing process. The bill requires DNREC to hold public hearings having a physical location allowing the public to attend and testify in person. These hearings may allow virtual participation in addition to in-person participation.

All public hearings must be noticed for at least 2 hours of testimony and in no event shall testimony be limited to less than 1 minute per person.