



SPONSOR: Sen. Lavelle & Rep. D. Short  
Sens. Marshall, Richardson; Reps. Briggs King, Hudson,  
Miro, Wilson

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 88

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SEU OVERSIGHT BOARD.

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

1 Section 1. Amend § 8059, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
2 insertions as shown by underline as follows:

3 § 8059. Sustainable Energy Utility.

4 (d) SEU Oversight Board. —

5 (1)a. The business and affairs of the SEU shall be managed by or under the direction of the SEU Oversight  
6 Board. The SEU Oversight Board shall consist of 11 members, who must each be confirmed by the Senate after  
7 appointment, and shall include the Secretary of the Department of Natural Resources and Environmental Control  
8 ("DNREC") or the Secretary's designee, and the Public Advocate or the Public Advocate's designee. The Board shall  
9 include representation from each county. Seven members of the SEU Oversight Board shall be appointed by and serve  
10 at the pleasure of the Governor, and may ~~include, but not be limited to,~~ include representatives from the nonprofit  
11 environmental community, the nonprofit energy community, the nonprofit community servicing the low and moderate  
12 income community, the financing/accounting community, business, labor, and education. One member of the SEU  
13 Oversight Board shall be appointed by and serve at the pleasure of the President Pro Tempore, and 1 member shall be  
14 appointed by and serve at the pleasure of the Speaker of the House. The Board shall elect 1 of its members to serve as a  
15 chairperson by a majority vote. The Director of the Division of Energy and Climate of DNREC, or the Director's  
16 designee, shall serve on the Board in an ex officio nonvoting capacity. The terms of the board members shall typically  
17 be 4 years, and shall be staggered. The Governor may appoint members for terms of less than 4 years to ensure that the  
18 terms are staggered. The Governor may, at any time, remove any gubernatorial appointee to the SEU Oversight Board  
19 for gross inefficiency, malfeasance, misfeasance or nonfeasance, in office. A gubernatorial appointee may be deemed  
20 to have resigned their position if they are absent from 3 consecutive board meetings without good cause.

SYNOPSIS

This Act requires Senate confirmation of the 11 members of the SEU Oversight Board. This Act also makes a technical correction to conform existing law to the standards of the Delaware Legislative Drafting Manual.

