



SPONSOR: Rep. Baumbach & Rep. Hensley & Sen. Sokola &
Sen. Cloutier & Sen. Delcollo

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 54

ESTABLISHING THE LOCAL SERVICE FUNCTIONS TASK FORCE TO REVIEW AND PROPOSE REVISIONS TO PART II OF TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

1 WHEREAS, the New Castle County ("County") government was reorganized in 1965 when Part II of Title 9 was
2 enacted under *55 Del. Laws, c. 85*, and took effect on January 3, 1967; and

3 WHEREAS, this reorganization recognized that local service functions, which are local governmental services
4 performed for residents, can be performed by either the County or a municipality; and

5 WHEREAS, the General Assembly has not significantly reviewed Part II of Title 9 in 50 years; and

6 WHEREAS, the County and municipal governments want to examine the law regarding determining tax rates and
7 expenditures for local service functions to ensure that the law is fair, transparent, accurate, and reflects the true cost of any
8 service paid for by County taxpayers.

9 NOW, THEREFORE:

10 BE IT RESOLVED by the House of Representatives of the 150th General Assembly of the State of Delaware, the
11 Senate concurring therein, that the Local Service Functions Task Force ("Task Force") be created.

12 BE IT FURTHER RESOLVED that the Task Force is comprised of the following members, or a designee
13 appointed by the member serving by virtue of position:

14 (1) A State Representative from the majority caucus and representing New Castle County, appointed by the
15 Speaker of the House of Representatives, who serves as co-chair.

16 (2) A State Representative from the minority caucus and representing New Castle County, appointed by the
17 Speaker of the House of Representatives.

18 (3) A State Senator from the majority caucus and representing New Castle County, appointed by the President Pro
19 Tempore of the Senate, who serves as co-chair.

20 (4) A State Senator from the minority caucus and representing New Castle County, appointed by the President Pro
21 Tempore of the Senate.

22 (5) Three members who are managers of a municipality in New Castle County, appointed by the Delaware League
23 of Local Governments.

24 (6) Two members representing New Castle County government, including 1 member representing the Office of
25 Finance, appointed by the New Castle County Executive.

26 (7) Two members representing New Castle County Council, appointed the New Castle County Council.

27 (8) One member, appointed by the New Castle County Volunteer Firefighter's Association.

28 (9) One member, representing a municipal police department in New Castle County, appointed by the Delaware
29 Police Chiefs Council.

30 BE IT FURTHER RESOLVED that the Task Force be established to examine Part II of Title 9 to determine if
31 changes should be made to enhance simplicity and operational efficiency, transparency, and fairness to County taxpayers
32 and accuracy with respect to costs and benefits.

33 BE IT FURTHER RESOLVED the Task Force shall review and propose revisions to Part II of Title 9 of the
34 Delaware Code regarding county and municipal responsibility for local service functions and how the county budgets
35 expenditures for the performance of local service functions and establishes tax rates for municipalities that perform local
36 service functions.

37 BE IT FURTHER RESOLVED the Task Force shall review and evaluate alternatives to the use of a local service
38 functions budget, including practices adopted in other states designed to coordinate and account for services provided by
39 both county and municipal governments.

40 BE IT FURTHER RESOLVED the Task Force's proposed revisions to Part II of Title 9 of the Delaware Code and
41 evaluation of alternatives to the use of a local service functions budget must be assessed according to the following criteria:

- 42 (1) Simplicity and operational efficiency.
43 (2) Transparency.
44 (3) Fairness to taxpayers.
45 (4) Accuracy with respect to costs and benefits.

46 BE IT FURTHER RESOLVED that a quorum of the Task Force is a majority of its members.

47 BE IT FURTHER RESOLVED that:

- 48 (1) Official action by the Task Force, including making findings and recommendations, requires the approval
49 of a quorum of the Task Force.
50 (2) The Task Force may adopt rules necessary for its operation.
51 (3) The co-chairs of the Task Force may invite individuals with relevant expertise to participate in Task Force
52 discussions.

53 BE IT FURTHER RESOLVED that the co-chairs of this Task Force are responsible for guiding the administration
54 of the Task Force by doing, at a minimum, all of the following:

55 (1) Setting a date, time, and place for the initial organizational meeting.

56 (2) Notifying the individuals listed in lines 22 through 29 of the formation of the Task Force and the need to
57 appoint a member, if applicable.

58 (3) Supervising the preparation and distribution of meeting notices, agendas, minutes, correspondence, and
59 reports of the Task Force.

60 (4) Sending to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the
61 Director of the Division of Research of Legislative Council, after the first meeting of the Task Force, a list of the
62 members of the Task Force and the person who appointed them.

63 (5) Providing meeting notices, agendas, and minutes to the Director of the Division of Research of Legislative
64 Council.

65 (6) Ensuring that the final report of the Task Force is submitted to the President Pro Tempore of the Senate
66 and the Speaker of the House of Representatives, with copies to all members of the General Assembly, the
67 Governor, the Director and the Librarian of the Division of Research of Legislative Council, and the Delaware
68 Public Archives.

69 BE IT FURTHER RESOLVED that the Task Force must hold its first meeting no later than August 31, 2019

70 BE IT FURTHER RESOLVED that New Castle County is responsible for hosting Task Force meetings and
71 providing reasonable and necessary support staff and materials for the Task Force to carry out its mission.

72 BE IT FURTHER RESOLVED that the co-chairs of the Task Force must compile a report containing a summary
73 of the Task Force's work regarding the issues assigned to it in lines 30 through 45 of this Resolution, including any findings
74 and recommendations, and submit the report no later than December 31, 2019.

SYNOPSIS

This House Concurrent Resolution establishes the Local Service Functions Task Force to review and propose revisions to Part II of Title 9 of the Delaware Code regarding New Castle County and municipal corporation responsibility for local service functions and how the county budgets expenditures for the performance of local service functions and establishes tax rates for municipalities that perform local services functions.