SPONSOR: Rep. Lambert & Sen. Pinkney
Reps. Dorsey Walker, S. Moore, Morrison, Wilson-Anton; Sen. Lockman

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 40

CREATING THE "JUSTICE FORTY OVERSIGHT COMMITTEE."

WHEREAS, President Biden unveiled a plan to rebuild the infrastructure of the United States and the plan sets the target of delivering 40 percent of the overall benefits from the massive investment in clean energy and our infrastructure to disadvantaged communities; and

WHEREAS, through the use of tax credits, grants, and low-cost flexible loans, the President's plan addresses racial and environmental injustice to invest in communities disparately impacted by pollution and provide these communities with the benefits of clean energy investments; and

WHEREAS, many Delawareans see vast areas for improvement in the areas of housing, broadband access, and water systems throughout the State and active participation in the President's plan could help provide affordable housing, reliable and affordable high-speed Internet access, and clean drinking water to everyone in our State; and

WHEREAS, it is important to seize the opportunities provided through this plan and create a committee to locate and help organize disadvantaged communities to ensure that these communities derive the full benefit of these credits, grants, and loans to improve the overall quality of life in Delaware; and

WHEREAS, Delaware cannot afford to fall behind in the push for a cleaner and more just future.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 151st General Assembly of the State of Delaware, the Senate concurring therein, that the Justice Forty Committee be established to study and make findings and recommendations regarding environmental justice in this State.

BE IT FURTHER RESOLVED that the Committee be composed of 15 members, as follows:

(1) Three members of the House of Representatives appointed by the Speaker of the House, 2 from the Majority Caucus, 1 of whom shall be member of the Capital Infrastructure Committee of the House of Representative and 1 of whom shall be a member of the Natural Resources Committee of the House of Representatives, and 1 shall be from the Minority Caucus. The Speaker shall appoint the Chair of the Committee.

(2) Three members of the Senate, appointed by the President Pro Tempore of the Senate, 2 from the Majority Caucus, 1 of whom shall be a member of the Capital Improvement Committee of the Senate, and 1 of whom shall be a

member of the Environment and Energy Committee of the Senate, and 1 shall be from the Minority Caucus. The President Pro Tempore shall appoint the Vice-Chair of the Committee.

(5) The Secretary of the Department Natural Resources and Environmental Control.

(6) The Director of the Division of Professional Regulation.

(7) The Director of the Delaware State Housing Authority.

(8) The Secretary of the Department of Health and Human Services.

(9) The Secretary of the Department of Agriculture.

(11) The Secretary of the Department of Transportation.

(10) A member of the White House Environmental Justice Advisory Council.

BE IT FURTHER RESOLVED that members serving by virtue of position may designate another individual to attend Committee meetings, and must provide the designation in writing to the Chair. An individual attending a meeting for a member serving by virtue of position has the same duties and rights as the member serving by virtue of position.

BE IT FURTHER RESOLVED that the Chief Clerk of the House notify the Chair of the Committee's creation and provide the Chair with a copy of the legislation creating the Committee.

BE IT FURTHER RESOLVED that the Chair of the Committee be responsible for guiding the administration of the Committee by, at a minimum, doing all of the following:

(1) Notifying the individuals listed in lines 19 through 33 of the formation of the Committee and the need to appoint a member, if applicable.

(2) Setting a date, time, and place for the initial meeting.

(3) Supervising the preparation and distribution of Committee meeting notices, agendas, minutes, correspondence, and reports.

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

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

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

BE IT FURTHER RESOLVED that the Committee must hold its first meeting no later than 60 days after passage.

BE IT FURTHER RESOLVE that a quorum of the Committee is a majority of its members.

BE IT FURTHER RESOLVED that:

(1) Official action by the Committee, including making findings and recommendations, requires the approval of a quorum of the Committee.

(2) The Committee may adopt rules necessary for its operation. If the Committee does not adopt rules or if the adopted rules do not govern a given situation, Mason's Manual of Legislative Procedure controls.

BE IT FURTHER RESOLVED that the House Democratic Caucus is responsible for providing reasonable and necessary support staff and materials for the Committee.

BE IT FURTHER RESOLVED additional members, including individuals with experience in the designation and implementation of Opportunity Zones and members of disadvantaged and marginalized communities in this State, may be appointed as needed by the Chair.

BE IT FURTHER RESOLVED that the Committee shall at a minimum, do all of the following:

(1) Identify disadvantaged and marginalized communities through Delaware with environmental justice impact.

(2) Identify the infrastructure deficiencies in these communities.

(3) Assist members of the community in developing a plan to apply for assistance to secure funding for the much needed infrastructure projects.

(4) Undertake other actions necessary to carry out the purpose of the Committee.

BE IT FURTHER RESOLVED that the Chair must compile a report containing a summary of the Committee's work regarding the issues assigned to it, including any findings and recommendations by, and submit the report to the General Assembly, the Governor, and the Director and Librarian of the Division of Research of Legislative Council, the White House Council on Environmental Quality, and the White House Environmental Justice Advisory Council no later than December 31, 2022.

BE IT FURTHER RESOLVED that this Concurrent Resolution expires on the date the Committee submits its findings and recommendations.

Ssynopsis

This Concurrent Resolution creates the Justice Forty Oversight Committee to study and make findings and recommendations regarding environmental justice in this State.